



**South Florida Building Code Compliance office
BORA 2000
Minutes**



TO: **Building Officials, Construction
Industry & Interested Parties**

FROM: Francisco Quintana, R.A., Director

DATE: November 30, 1999

BUILDING CODE COMPLIANCE OFFICE
METRO-DADE FLAGLER BUILDING
140 WEST FLAGLER STREET, SUITE 1603
MIAMI, FLORIDA 33130-1563
(305) 375-2901
FAX (305) 375-2908

PRODUCT CONTROL SECTION
(305) 375-2902
FAX (305) 372-6339

**SUBJECT: 2000 Schedule of Meeting Dates for the Board of Rules and
Appeals and the Building Code and Product Review Committee**

Following is a yearly schedule of meetings for the Miami-Dade County Board of Rules and Appeals (BORA) and the Building Code and Product Review Committee (BCPRC) for 2000. All meetings are held at the **Metro Dade Flagler Building, 140 West Flagler Street, 16th Floor, Conference Room 1605.**

Please note that the meetings of the **Board of Rules and Appeals** will be held once a month on the third **Thursday of the month**, whenever possible, from **1:00 PM to 5:00 PM*** as follows:

January 20, 2000	July 20, 2000
February 17, 2000	August - Recess
March 16, 2000	September 21, 2000
April 13, 2000	October 19, 2000
May 18, 2000	November 16, 2000
June 15, 2000	December 14, 2000

The meetings of the **Building Code and Product Review Committee** will be held once a month on **Mondays** from **1:00 PM to 5:00 PM** as follows:

January 10, 2000	July 3, 2000
February 7, 2000	August - Recess
March 6, 2000	September 11, 2000
April 3, 2000	October 2, 2000
May 1, 2000	November 6, 2000
June 5, 2000	December 4, 2000





**TO: Board of Rules & Appeals
Building Official
Construction Industry &
Interested Parties**

BUILDING CODE COMPLIANCE OFFICE
METRO-DADE FLAGLER BUILDING
140 WEST FLAGLER STREET, SUITE 1603
MIAMI, FLORIDA 33130-1563
(305) 375-2901
FAX (305) 375-2908

FROM: Francisco Quintana, R.A., Secretary

PRODUCT CONTROL SECTION
(305) 375-2902
FAX (305) 372-6339

DATE: December 27, 1999

SUBJECT: 2000 Schedule of Formal Hearing Dates for the Board of Rules and Appeals

Following is a schedule of dates for the **Formal Hearings (Disciplinary Action Hearings on State Contractors)** to be held by the Miami-Dade County Board of Rules and Appeals (BORA) for the year 2000

All hearings are held at the **Metro Dade Flagler Building, 140 West Flagler Street, 16th Floor, Conference Room 1605**. Any changes in the location will be announced at the appropriate time. Please note that the **Formal Hearings** will be held once a month on the **second Tuesday of the month** whenever feasible, from **2:00 PM to 5:00 PM*** as follows:

January 11, 2000	July 11, 2000
February 8, 2000	August - Recess
March 7, 2000	September 12, 2000
April 4, 2000	October 10, 2000
May 9, 2000	November 7, 2000
June 6, 2000	December 5, 2000

Please mark you calendars accordingly. It is very important that we have a quorum for these meetings. Thank you for your usual cooperation.

Should you have any questions, please contact Jane O'Brien at (305) 375-2901.

FJQ jfo'b



MINUTES OF THE BOARD OF RULES AND APPEALS MEETING ON 01-20-00

Attendance: Thomas Utterback, CH Richard Horton, VC William Riley Enrique Salvador
Rolando Diaz Moshe Weitz Arnold Velazquez Steven L. Johns
Gregory Pierce John Kurzman Jesus M. Gomez Robert Barnes

Excused: Justin Manuel Capt. William Strachan Edward Woodward

Staff Present: Francisco J. Quintana, Secretary Hugo Benitez, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Isabel Seralnick

Commenced at 1:25 p.m.

Minutes of December 16, 1999

Mr. Utterback requested a motion to approve the minutes for the December 16, 1999 meeting. Mr. Horton moved to approve the minutes and Mr. Velazquez seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Utterback requested a motion of the Board to accept the Consent Agenda and Emergency Consent Agenda.

CONSENT AGENDA

APPEAL #1: TCO EXTENSION, PERMIT No. 1999059943, Monzon

APPEAL #2: TCO EXTENSION, PERMIT No. B9500406, Almeida

APPEAL #3: TCC EXTENSION, PERMIT No. 12086, Grabill

APPEAL #4: TCO EXTENSION, PERMIT No. 95-5018309, Jarman

APPEAL #5: TCO EXTENSION, PERMIT No. 1999000220, Fine

APPEAL #6: TCO EXTENSION, PERMIT No. 9801292, Fine

EMERGENCY CONSENT AGENDA:

APPEAL #1: TCO EXTENSION, PERMIT No. 1999000222, Fine

APPEAL #2: TCO EXTENSION, PERMIT No. 199900022, Fine

APPEAL #3: TCO EXTENSION, PERMIT No. 1998117806, Fine

Mr. Velazquez moved to accept the Consent Agenda and Emergency Consent Agenda. Mr. Salvador seconded the motion.

Motion carried unanimously. (Mr. Johns excused himself from voting on this issue.)

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Utterback then requested of Mr. Horton the status report on the Airport Subcommittee meeting held on January 12, 2000.

Mr. Horton informed the members that Mr. Narinder Jolly presented status of the remaining 22 permits as follows: 8 are duplicates, 1 is in the process of being completed –(3 additional buildings are being added to Cargo Building 2200), 3 buildings are demolished and 1 is converted to an existing CO. Mr. Horton stated that the remaining nine permits will be researched by the Building Department and return to the regular scheduled Board of Rules and Appeals meeting of February 17, 2000 with the status. He further informed the Board that Mr. Jolly stated that after running various test on Concourse “H” they have determined to install the deluge system and an agreement had been prepared with the Fire Department outlining time frames as to when things are to take place.

Mr. Juan Gonzalez stated to the members that it was Mr. Richard Garcia who participated in the agreement and to his knowledge he was to forward a copy of the agreement Mr. Danger for his signature.

Mr. Charles Danger, Building Official for Unincorporated Miami-Dade County, stated that he did receive the report this morning which details what their plans are, but he can not sign off on life safety issues.

Mr. Diaz suggested that to monitor the day to day functions of the issues at hand that a Task Force consisting of two Code Compliance Investigators, two members of the Building Department and two members of the Board of Rules and Appeals.

Mr. Danger stated that they met with the County Manager, Mr. Merritt Steirheim this morning to address the issues concerning the airport on the construction point of view. Mr. Danger informed the members that Mr. Steirheim requested in 90 days a full report on all the problems at the airport and maybe then this issue can return to the board with the update.

Mr. Richard Garcia informed the Board that an agreement had been reached with the Fire Department regarding Concourse 'H' that has been signed by Chief Suarez and Mr. Narinder Jolly outlining deadlines in regards to the deluge system, the high base sprinklers and the wall hydrants. He further requested that the Board grant the TCO extension.

After much discussion, Mr. Weitz then made a motion to grant the TCO extension. Mr. Velazquez seconded the motion

Motion carried 8 to 4.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Utterback then requested a discussion on the motion.

Mr. Salvador asked has the issue regarding the qualifier Mr. Southern been resolved.

Mr. Danger stated that he did receive a letter releasing Mr. Southern.

Mr. Diaz asked Chief Alfredo Suarez was Concourse "H" safe for occupancy.

Chief Suarez answered that Concourse "H" is probably the safest concourse in the airport since some other concourses at the airport do not have fire alarms and smoke evacuation systems do not work and they remain occupied with these violations.

Mr. Utterback then asked Chief Suarez was Concourse "H" safe to the point that the Board can grant the TCO extension.

Chief Suarez stated that he does not have the authority to grant a TCO, but he does have the authority to sign consent agreements with the private and public sector. He further explained to the members that he has a problem with items #2 and #3 of the agreement because as of September of last year the wall hydrants, the sprinklers and the high bay area should have been completed.

Mr. Danger stated to the members that for the first time in three years he is very confident that things are going to happen at the airport. He further informed the members not to take any drastic measures until the report is presented within 90 days.

APPEAL #1: APPEAL OF BUILDING OFFICIAL'S DECISION: Unincorporated Miami-Dade County, 17630 N.E. 8 Place, Chapter 34 of the SFBC, Roof/Dimensional Shingles

Mrs. Ruth Ogen, the qualifier for Unique Roofing and Construction stated that the Building Department did not properly notify the roofing contractors that there was a change in the Code. She stated that the roofing contractors should have been notified at least 90 days prior to the change becoming effective so that they would not have given estimates on dimensional shingles on roofs where they could not be installed.

Mr. Flavio Gomez stated that there was some confusion on the slope and other municipalities is not their jurisdiction. He commented that the notice is posted in the Building Department and was also given to the roofing contractors applying for permits.

Mr. Kurzman stated the City did not know of the code changes also and asked the Assistant County Attorney that without showing proper notification can the Board make a motion based this information.

Mr. Hugo Benitez, stated that there is no legal requirement to post these changes and further added that this is not a proper finding to base the appeal in favor of the appellant.

After much discussion, Mr. Horton moved to deny the appeal based on the fact that the Code is clear and further that through clarification of the Assistant County Attorney, posting is not a requirement. Motion seconded by Mr. Salvador.

Motion carried. (Mr. Weitz was opposed)

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: Sunny Isles Beach, 500 Sunny Isles Boulevard, Section 4603.17(c) of the SFBC, Holding Tanks

Mr. Joseph Mazacco, stated that in 1995 his facility was permitted and he received a grant for a pump out station. He then applied with WASA for a hook up to the existing sewer that was near his property and was told he could not because of the requirements of being five feet away from the existing underground facilities.

Mr. John Cronine, informed the Board that Mr. Mazacco was turned down for a holding tank per the South Florida Building Code because holding tanks are only approved for construction trailers and sales trailers. He further added that as for the jurisdiction of the Health Department he is not aware of them having jurisdiction over the holding tank.

Mr. Kurzman stated that a grinder pump lift station reservoir that constantly drains into the gravity system so that raw sewage is not stored on the property.

After some discussion, Mr. Velazquez made a motion to grant the appeal based on the fact that per the code this is not a building. A motion was seconded by Mr. Weitz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

REPORTS

Mr. Herminio Gonzalez, Code Compliance Division Chief, presented the list of individuals recommended for approval for Re-certification from the Inspector Tracking System Report.

Mr. Velazquez moved to accept the approval of the individuals for Re-certification listed on the Inspector Tracking System Report. Mr. Salvador seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Gonzalez then presented the list of individuals for re-certification as follows:

- **Reinaldo Benitez** – Mr. Velazquez stated that one of the courses given by the Building Code Compliance Office was already taken with John Travers and recommends the 8 hours to be accepted. Motion seconded by Mr. Salvador.
- **Carlos Castillo** – Missing 4 hours of continuing education stated that he had been hospitalized numerous times and did not keep up the courses. A motion was made by Mr. Kurzman that he obtain the necessary courses within the next 60 days. Motion seconded by Mr. Salvador.
- **Harry Childs** – Local license was expired, but took care of it with the BCCO. Motion was made by Mr. Salvador to grant re-certification and seconded by Mr. Pierce.
- **George Desharnis** – needs 16 hours of continuing education stated he could not attend the classes because he took over another jurisdiction and there was no one else to take his place in his absence. Mr. Salvador made a motion for Mr. Desharnis to complete the courses via videos within 60 days. Motion seconded by Mr. Diaz (Mr. Johns was opposed).
- **Charles Esher** – needs 2 hours of continuing education. Mr. Johns made a motion for Mr. Esher to complete the courses via videos within 60 days. Motion seconded by Mr. Velazquez.
- **Juan Fernandez-Barquin**- needs 6 hours of continuing education stated that he completed 10 hours of the mandatory 12 with the Building Code Compliance Office but didn't get them in on time and would complete the remaining hours as soon as possible. A motion was made by Mr. Weitz that Mr. Fernandez-Barquin complete the courses within 60 days. Motion seconded by Mr. Diaz. (Mr. Johns was opposed).
- **Robert Garcia**- does not show roofing experience was not present at the hearing. Motion made by Mr. Salvador to deny re-certification. Motion seconded by Mr. Johns.
- **Jorge Perez**- provisional license is expired. Mr. Johns made a motion to deny re-certification. Motion seconded by Mr. Diaz.
- **Gregory Poetsche**- needs 4 hours of continuing education. Mr. George Gamoneda informed the members that Mr. Poetsche was not notified of the seminar. Motion made by Mr. Weitz to grant Mr. Poetsche 60 days to complete the courses. Motion seconded by Mr. Barnes. (Mr. Salvador and Mr. Johns were opposed).
- **Serafin Socarras**- general contractor license was expired but has since been renewed. Motion made by Mr. Velazquez to accept Mr. Socarras for approval. Motion seconded by Mr. Salvador.

- **Joseph Wagner-** needs 16 hours of continuing education. Motion made by Mr. Johns to reject Mr. Wagner for re-certification. Motion seconded by Mr. Velazquez.

Mr. Gonzalez read into the records those individuals recommended for approval of New Certification. Motion made by Mr. Velazquez to approve these individuals and Mr. Johns seconded the motion.

Mr. Gonzalez then read into the records the following individuals being recommended for rejection of New Certification:

- **Julio Beltran-** needs 5 years Journeyman. Mr. Velazquez made a motion to grant Mr. Beltran new certification. Motion seconded by Mr. Diaz.
- **Jose Cobo-** is missing his State of Florida Standard Inspector License, but he applied to the State and will provide proof that his application has been submitted. Mr. Gonzalez informed the Board that the BCCO staff is accepting the information. Motion made by Mr. Velazquez to approve Mr. Cobo for new certification. Motion seconded by Mr. Weitz.

Mr. Oriol Torres-Haage informed the Board that they have not received any documents from the Building Official of Sweetwater re-appointing Mr. Ray Poiriar as Chief and he was also missing some hours of continuing education.

Mr. Poiriar stated that he has been the Chief in Sweetwater for almost 20 years and was not aware of what happened to his paperwork, he will contact the Building Official to find out what is going on. He further informed the members that he does have all of his hours and was only lacking the electives, which he took care of in December.

Mr. Velazquez moved to accept the 8 hours that Mr. Poiriar took with John Travers be recognized as the same course given with the Building Code Compliance Office. Motion seconded by Mr. Weitz.

Motion carried. (Mr. Johns was opposed)

(For a verbatim version of the aforementioned item, refer to the transcript.)

ANNUAL REPORT FOR 1999

Mr. Horton made a motion to accept the Annual Report for 1999. Motion seconded by Mr. Velazquez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

INTERPRETATION – Materials used in Air Handler Plenums in Group “H” Occupancy

Mr. Pete Quintela, Code Compliance Officer with the Building Code Compliance is seeking interpretation regarding the requirements of Section 4904.2(a)(7)(bb) which deals with Air Handler Return Plenums in Group “H” Occupancy. Mr. Quintela stated that in 1997 the Mechanical Code was updated and it was based mainly on the requirements of the National Fire Protection Association, which limits the use of materials to 25Fire/50Smoke Developed Rating and refers to plenums and the materials exposed to the airflow in the air conditioning plenum closets as being the same. Furthermore, Mr. Quintela added that The National Electrical Code also has similar restrictions for materials used in air conditioning plenum closets.

Mr. Charles Danger, Building Official of Unincorporated Miami-Dade County, stated that the South Florida Building Code Chapter 13 “Group H” Occupancies has an exception on single-family residences containing no more than three bedrooms where no more than three people per bedroom shall be considered “Group I” Occupancy, but in Chapter 14 “Group I” this is not included because “Group I” is normally a single-family residence, this exception is in “Group H” for the reason that the inside of an apartment is treated as a “Group I” Occupancy if it meets these requirements.

Mr. Velazquez stated that on a high-rise building if the air-conditioning unit compartment for single-family is independent and separated from the rest of the building then he would agree that it would be a “Group I Occupancy”, but if the air-conditioning unit serves the whole building and there is only a air-handler unit that the air is going to flow and mix with the rest then it has been considered a “Group H” Occupancy.

Mr. Salvador then made a motion to send this item to the Subcommittee. Motion seconded by Mr. Johns.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

WATERPROOFING SUBCOMMITTEE REPORT

Mr. Pierce introduced and read to the members a draft memo on guidelines for the usage of Waterproofing as an alternate.

Mr. Vincent Vaccarella commented that the definition is not the same as what was prepared by the Product Control Division and the Building Code and Product Review Committee. He stated that the last sentence of the definition was not included as a guideline and creates a problem for industry because it is not required by the South Florida Building Code. He explained that they are going from no product approval requirements to them being required when there is just a limited number of materials that have product approval acceptance. They do not have a problem with moving to a system of product approval eventually once its injected into the Code review process in which rational guidelines are commented on by industry and set over time, but to establish this transition without having opportunity of comment for industry is a problem

Mr. Raul Rodriguez, Chief of the Product Control Division stated that he doesn't remember from the meetings that he has attended of treating waterproofing as an alternate to an approved roofing system, but if this is the case the alternate must also require Notice of Acceptance.

Mr. Frank Zuloaga commented that this should not be considered an alternate and what defines the difference is that roofing products are not used for people to walk on them and usually roofing systems are the absolute last thing that goes on the building and in regards to waterproofing there is something over it. Mr. Zualoga suggested that this issue go back to the subcommittee for further review.

After much discussion, a motion was made by Mr. Pierce to send this item back to the Subcommittee. Motion seconded by Mr. Barnes.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

A motion was then made by Mr. Horton to table the discussion item of Mr. Velazquez to next month and have this item heard first on the agenda. Motion seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Meeting adjourned at 5:10 p.m.

MINUTES OF THE BOARD OF RULES AND APPEALS MEETING ON 02-17-00

Attendance: Thomas Utterback, CH Richard Horton, VC William Riley Enrique Salvador
Rolando Diaz Moshe Weitz Arnold Velazquez Steven L. Johns
Gregory Pierce John Kurzman Jesus M. Gomez Justin Manuel

Excused: Capt. William Strachan Edward Woodward Robert Barnes

Staff Present: Francisco J. Quintana, Secretary Hugo Benitez, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Isabel Seralnick

Commenced at 1:25 p.m.

Minutes of January 20, 2000

Mr. Utterback requested a motion to approve the minutes for the January 20, 2000 meeting. Mr. Pierce moved to approve the minutes and Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Utterback requested a motion of the Board to accept the Consent Agenda.

CONSENT AGENDA

APPEAL #1: TCO EXTENSION, PERMIT No. 99010196, Cabarrocas-Trelles

APPEAL #2: TCO EXTENSION, PERMIT No. 94-00493, Weserstein

APPEAL #3: TCO EXTENSION, PERMIT No. 12088 and 97-498, Grabill

APPEAL #4: TCO EXTENSION, PERMIT No. B9901275, Malik

Mr. Kurzman moved to accept the Consent Agenda. Mr. Horton seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

EMERGENCY CONSENT AGENDA:

APPEAL #1: TCO EXTENSION, PERMIT No. 1999078737, Bonzon

Mr. Salvador moved to accept the Emergency Consent Agenda item. Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Utterback informed the Board Members that Appeal #1 for Mr. Lazaro Milton had been addressed through the Electrical, Mechanical and Plumbing Subcommittee. He then requested that Subcommittee report from Mr. Horton.

Mr. Horton informed the members that there was a lot of discussion regarding combustibles inside an air handler unit closet, which is a return air plenum. The Subcommittee felt that a significant fire hazard did not exist in this case. They recommended by majority vote, with the exception of Mr. Salvador, to concur with the decision of previous rulings on this issue and the decision of the Building Department that it is not necessary to require the closets to be free of combustible materials.

Motion made by Mr. Kurzman to accept the Subcommittee's recommendation. Motion seconded by Mr. Pierce.

Motion carried. (Mr. Salvador was opposed)

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of South Miami, 7311 S.W. 62 Avenue, Section 104.3(b) of the SFBC, Non-structural Repairs and Alterations

MINUTES OF THE BOARD OF RULES AND APPEALS MEETING ON 03-16-00

Attendance: Thomas Utterback, CH Richard Horton, VC William Riley Enrique Salvador
Rolando Diaz Moshe Weitz Arnold Velazquez Steven L. Johns
Gregory Pierce John Kurzman Jesus M. Gomez Capt. William Strachan

Excused: Edward Woodward Robert Barnes Justin Manuel

Staff Present: Francisco J. Quintana, Secretary Hugo Benitez, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Isabel Seralnick

Commenced at 1:20 p.m.

Minutes of February 16th, 2000

Mr. Utterback requested a motion to approve the minutes for the February 16th, 2000 meeting. Mr. Horton moved to approve the minutes and Mr. Kurzman seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Utterback requested a motion of the Board to accept the Consent Agenda.

CONSENT AGENDA

APPEAL #1: TCO EXTENSION, PERMIT No. B9700865, Bloomberg

APPEAL #2: TCO EXTENSION, PERMIT No. 96-5017655, Jarman

APPEAL #3: TCO EXTENSION, PERMIT No. B8800095, Fine

APPEAL #4: TCO EXTENSION, PERMIT No. B9701905, Fine

APPEAL #5: TCO EXTENSION, PERMIT No. 99-5002405, McDougale

APPEAL #6, TCO EXTENSION, PERMIT No. 9701091, Burch

Mr. Horton moved to accept the Consent Agenda. Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #1: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami, 1756 N. Bayshore Drive, Section 4909.1(a) of the SFBC, 3M Firemaster Duct Wrap

Mr. Jamie Artzt stated that he is the construction manager for Beauchamp and informed the members that the 3M Firemaster product was utilized to establish the two-hour fire rating. He further stated that after the installation of the product has taken place they requested an inspection by the City of Miami, and it was then they were informed that this product had approval for use on exhaust ducts not air conditioning ducts.

Mr. Roberto Hevia, Building Official for the City of Miami, explained to the Board that this product was installed in an air conditioning duct that has carcinogenic materials in it, which was not approved by the South Florida Building Code.

Mrs. Vickie Floyd with Thermo Ceramics stated that there has been 18 fire tests on the fire spread throughout the building and the product in question is listed as an alternative to a two-hour fire rated shaft enclosure.

Mr. Pete Quintela, Code Compliance Mechanical Specialists, informed the Board that the reason NFPA-90A rejected the use of the product had to do with there being no proven or agreed method on how to install fire dampers or where to install the fire dampers in air duct applications.

Mr. Weitz made a motion to grant the appeal based on the fact that the Code says that for grease traps the use would be limited only if there are structural limitations or space limitations, but it does not say you can not use the product for other uses. Mr. Johns seconded the motion.

After further discussion, Mr. Horton made an amendment to Mr. Weitz's motion that the inspector verify that the attachment to the wall is in accordance with the manufacturer's recommendations in the manual. Motion seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Coral Gables, 10 Edgewater Drive, 1994 Edition of the SFBC

Mr. Mark Kovens stated that this project consists of two buildings that has active permits and the issue here today is with Tower One. He informed the Board that they wanted individual CO's so tenants could move in upon completion. They did not receive an inspection on the shell; therefore, they will have to adapt to the 1994 Code. Mr. Kovens further stated that the permit was issued and they should be given the ability to finish repairs under the same Code, but would be willing to compromise and meet the new code as to the impact glass changes for the previous code.

Mr. Manuel Lopez, Building Official for the City of Coral Gables, stated that in 1999 they were issued a permit and the shell was issued a CO in 1996 and is now closed. Mr. Lopez explained to the members that they had to separate the permit in order to allow them to move the tenants in and furthermore he was under the impression that Phase II was going to be built as soon as possible.

After some discussion, Mr. Salvador made a motion to grant the appeal due to the fact that they added or revised the permits for each of the 100 apartments for either changes or to complete the job and these permits should have been under the original permit. Motion seconded by Mr. Weitz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #3: APPEAL OF BUILDING OFFICIAL'S DECISION: City of South Miami, South Miami Hospital, 6200 S.W. 73 Street, Section 3901.0(c)(2) of the SFBC, Fire Sprinkler System

Mr. Rick Galvess, an Engineer with Shirmer Engineering, commented that this garage is 80'6" from grade level to the roof and he is proposing the use of an alternate of standpipe and hose protection for this fully sprinkled building. Mr. Galvess cited Section 3901.2 of the South Florida Building Code that "Group F Division 1 open air parking garages not exceeding 75 feet in height, need not be sprinkled." Mr. Galvess concluded that fire test data shows that there is no benefit to having the sprinkler fire protected.

Mr. Strachan read from the South Florida Building Code, Chapter 35 and informed the board that this only alleviates you from having to have a fire-to-gate type hose and cabinets. Capt. Stachan then read a letter from Chief Suarez opposing to any provision that would give relief to this section of the Code that requires a sprinkler system.

After some discussion, Mr. Salvador moved to deny the appeal based on the fact that the Code is clear in its requirement of 75 feet. Mr. Johns seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #4: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, Sunset Island II, 2581 Lake Avenue, Subsection 304.3(e) of the SFBC, Final Inspections

Mr. David Robinson commented that he would be presenting the case on behalf of the Allen's. Mr. Robinson explained to the Board that when they sold the house it was then found that the permit was never finalized. He then spoke to Mr. Azan who told him to make a new sketch of the plans and go through the process again.

Mr. Philip Azan, Building Official for the City of Miami Beach informed the Board that there is a letter on file with conditions.

After some discussion, Mr. Weitz made a motion to grant the appeal based on prior cases with the same problem, to allow them to reactivate the permit based on the old code and also have a contractor finish the job. Motion seconded by Mr. Gomez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #5: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 7820 Abbot Avenue, Subsection 304.3(e) of the SFBC, Final Inspections

Mr. Jam Grimann stated to the Board that they purchased this building in 1993 and in December of that year, they hired a contractor to replace all the aluminum windows, but they never closed the permit. Mr. Grimann requested that the Board close the permits.

Mr. Philip Azan, Building Official for Miami Beach, explained to the Board that this case is similar to the last one and stated that he has also attached conditions to this property, that it should be approved subject to the recommendation by the architect to put in the additional screws.

After some discussion, Mr. Salvador made a motion to grant the appeal based on the conditions of the Building Official. Motion seconded by Mr. Pierce.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

TCO/TCC APPEAL

APPEAL #1: TCO EXTENSION, PERMIT No. 1997029329, Unincorporated Miami-Dade County, Millennium Condominiums, 18671 Collins Avenue

Mr. Cliff Schulman, who is representing Mr. Lamar and The Millennium Condominium, informed the members they have met with the residents in trying to resolve this matter, so they have agreed to reduce their request from a 90-day extension to 60 days so they can finish the job.

After some discussion, Mr. Kurzman made a motion to grant a 60-day TCO extension with specified conditions of the tenants. Motion seconded by Mr. Johns.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

REPORTS

Waterproofing Subcommittee

Mr. Gregory Pierce reported on the status of the Waterproofing issue and explained to the board that this was not Code it was only guidelines that would be suggested throughout the Building Departments to tell them how to deal with these types of situations. Mr. Pierce explained to the members that a change to the recommendation is that instead of "subject roof decks", it would just read "decks", because the word "decks" is a general term. Mr. Pierce further explained to the Board that the other issue to this matter was that there is no license for waterproofing.

Mr. Raul Rodriguez, Chief, Product Control Division, stated that a category should be created. He informed the members that Chapter 10 includes a "Painting and Waterproofing" category, which only requires that you have some experience painting, but there is no examination.

After much discussion, Mr. Pierce made a motion to accept the guidelines as written, with the exception of the minor changes made, and that this is sent to the Building Officials and Municipalities. Mr. Pierce further motioned to recommend that the Construction Trades Qualifying Board consider establishing a license category that would cover these specific types of installation. Mr. Kurzman seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Certification of Inspectors/Plans Examiners for March

Mr. Salvador reported on the recommendations of the Certification Subcommittee and presented the following information of individuals for Approval for Re-Certification, New Certification and Rejection for New-Certification:

The following individuals are being recommended for **approval** for **Re-Certification** for 2000.

INSPECTOR:

Perez, Jorge

REPRESENTING:

Miami-Dade County

DISCIPLINES:

Building Insp. Comm. Roofing
Building Insp. Res. Roofing

The following individuals are being recommended for **approval** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Ashraf, Syed Mehdi	Miami Beach	Plans Examiner (Building)
Bechamps, Eugene N.	Miami Beach	Plans Examiner (Building) Plans Examiner (Structural)
De Zayas, Eduardo	Sweetwater	Plans Examiner (Structural)
Estopiñan, Pedro A.	Miami-Dade County	Plans Examiner (Building)
Fernandez-Barquin, Juan	Miami Beach	Plans Examiner (Building) Plans Examiner (Structural)
Gutkin, Leonard	Golden Beach	Chief Electrical Inspector Plans Examiner (Electrical)
Hangge, Susan M.	Miami Beach	Plans Examiner (Building) Plans Examiner (Structural) Building Insp. (Structural)
Kruger, Eduardo	Miami Beach	Plans Examiner (Structural) Plans Examiner (Building)
Lanza, Carlos	Sweetwater	Chief Building Inspector
Lee, Dale E.	North Miami Beach	Chief Building Inspector
Mitrani, Jaime A.	Sunny Isles Beach	Plans Examiner (Building) Plans Examiner (Structural) Roofing Inspector (Comm.) Roofing Inspector (Res.) Building Insp. (Structural)
Piñon, Raul A.	Coral Gables	Chief Building Inspector
Reyes, Albert Jr.	Coral Gables	Plans Examiner (Electrical) Electrical Inspector
Rodriguez, Jesus	Golden Beach	Roofing Insp. (Comm.) Roofing Insp. (Res.) Building Insp. (Structural)
	Indian Creek Village	Roofing Inspector (Comm.) Roofing inspector (Res.) Building Insp. (Structural)

Mr. Salvador made a motion to accept the certification recommendations. Motion seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Salvador then informed the Board that the following individual is being recommended for **rejection** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Ashraf, Syed Mehdi	Miami Beach	Plans Examiner (Structural)
(Mr. Ashraf must have practiced as a structural engineer within the jurisdiction of the Code for a period of 5 years (He will be eligible for this position on March 7, 2002)).		

Mr. Ashraf introduced himself and explained that he has been practicing in Miami for five to six years and would like the opportunity to become certified as a Structural Plans Examiner.

Mr. Jamie Eisen, Code Compliance Structure Officer II, informed the Board that there had been other individuals with the same problem, and the Board had turned them down.

Mr. Herminio Gonzalez stated that the intent of the South Florida Building Code is that the word “*practice*” means that you have to be licensed otherwise you can not practice.

After some discussion, Mr. Riley made a motion to deny Mr. Ashraf new certification. Motion seconded by Mr. Johns.

Motion carried. (Mr. Gomez and Mr. Weitz were opposed).

(For a verbatim version of the aforementioned item, refer to the transcript.)

EMERGENCY AGENDA

Interpretation – Fire resistance Reduction for Sprinkling

Mr. Philip Azan, Building Official for the City of Miami Beach, stated that he is seeking an interpretation to Section 3802.2(c) of the South Florida Building Code that deals with reduction of the rating for fire resistivity for the interior and exterior structural frame of a building. Mr. Azan explained that for buildings less than 50 feet in height, if the building is fully sprinkled throughout, would that fire reduction be put down to zero or the minimum you can have is a one-hour rating and also is the word “*throughout*” included the attic space. Mr. Azan further added that in 1994 the Committee specified “low or ordinary hazard”, and if this is so he would like to modify the language.

Capt. Strachan explained that in many sections of the Code under NFPA 13, it does classify “ordinary” in many instances and there might have been an error because the Code does say ordinary. Capt. Strachan then made a motion to amend the language to include low or ordinary as the Code addresses. Motion seconded by Mr. Salvador.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Meeting adjourned at 4:00 p.m.

MINUTES OF THE BOARD OF RULES AND APPEALS MEETING ON 04-13-00

Attendance: Thomas Utterback, CH Richard Horton, VC William Riley Enrique Salvador
Rolando Diaz Moshe Weitz Arnold Velazquez Carmen Garcia
Robert Barnes John Kurzman Jesus M. Gomez

Excused: Edward Woodward Gregory Pierce Capt. William Strachan
Steven L. Johns

Absent: Justin Manuel

Staff Present: Francisco J. Quintana, Secretary Yvonne Bell, Recording Secretary

Court Reporter: Dale Floyd

Commenced at 1:16 p.m.

Minutes of March 16th, 2000

Mr. Utterback requested a motion to approve the minutes for the March 16th, 2000 meeting. Mr. Horton moved to approve the minutes and Mr. Velazquez seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Utterback requested a motion of the Board to accept the Consent Agenda.

CONSENT AGENDA

APPEAL #1: TCC EXTENSION, PERMIT No. B9904688, Rosner

APPEAL #2: TCO EXTENSION, PERMIT No. 985013289, Firstenberger

APPEAL #3: TCC EXTENSION, PERMIT No. B9702391, Rodriguez

APPEAL #4: TCO EXTENSION, PERMIT No. 93278779, Garcia

Mr. Velazquez moved to accept the Consent Agenda. Mr. Horton seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #1: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 4215 Alton Road, Subsection 304.3(e) of the SFBC, Renewal of Expired Permit

Mr. Fred Mark stated that in 1994 he hired a contractor to replace the windows only to find out later that he was not a contractor, nor was a final inspection conducted for the windows. He further informed the Board that the windows had received Notice of Acceptance that expired in 1997.

After some discussion, Mr. Velazquez made a motion to grant the appeal based on the guidelines and recommendations of the City of Miami Beach. Motion seconded by Mr. Salvador.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 505 Washington Avenue & 1661 Washington Avenue, Section 302.2(3) of the SFBC, Submittal of Shoring/Reshoring Drawings

Mr. Carter McDowell informed the members that this case is similar to previous projects that have come before the Board. He would like to be allowed to submit the shoring and reshoring drawings for the above-mentioned properties.

After some discussion, Mr. Weitz made a motion to grant the appeal based on prior appeals with the same situation. Motion seconded by Mr. Horton.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

TCO/TCC APPEAL

APPEAL #1: TCC EXTENSION, PERMIT No. BCC000000048, City of Miami Beach, The Grand Flamingo – South Building, 1500 Bay Road

Mr. Carter McDowell explained to the Board that the North Building is currently substantially completed and would need 90 to 120 days to complete. Mr. McDowell informed the members that tenants did have the opportunity to break their lease and denial of the TCC would be hurtful for those tenants who chose to stay.

Mrs. Jeri Goodkin, Senior Inspector for the City of Miami Beach, informed the Board that Mr. Richard McConahie conducted the inspection on the property and found only eight violations that are not life threatening to the tenants.

Mr. Howard Breckenridge stated that he is President of the Homeowner's Association and was representing 730 tenants of The Grand Flamingo. He informed the members that there are 466 units and it is impossible for AIMCO to complete the remaining issues within 60 days and would like the Board to reject another TCC extension for this structure. Mr. Breckenridge submitted a signed petition from the tenants stating they would like to break their lease due to the present conditions, which he characterized as life threatening.

Mr. Gary Kuhl stated that there are no life safety issues at the site and grievances that the tenants have should be addressed to the owner and not the contractors. He informed the members that the tenants were given 30 days to move if they were unhappy and out of the hundreds that reside at this location, only 50 took the offer. Mr. Kuhl further stated that they will be fully mobilized by the middle of next month. He anticipated that work within the building will be ready for final inspection within 120 days.

Mrs. Rhonda Montola stated that there is only one issue of concern and that is the trash chute.

After much discussion, Mr. Horton made a motion to grant a 60-day TCC extension. Motion seconded by Mr. Johns.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

REPORTS

Certification of Inspectors/Plans Examiners for April

Mr. Salvador reported on the recommendations of the Certification Subcommittee and presented the following individuals for New Certification and Rejection for New-Certification:

The following individuals are being recommended for **approval** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Betancourt, Robert L.	Miami-Dade County	Plans Examiner (Mechanical)
Correa, Pedro A.	Miami-Dade County	Plans Examiner (Structural) Building Insp. (Structural)
Desharnais Sr., George W.	Sunny Isles Beach	Building Official
Lindgren Sr., Clifford J.	El Portal	Chief Inspector (Mechanical) Plans Examiner (Mechanical) Plans Examiner Mech. (Res.)
Macia, Eduardo	Miami Beach	Building Insp. (Structural)
Menendez, Tomas F.	Hialeah Gardens	Electrical Inspector Plans Examiner (Electrical)
Perez, Jan Pierre	North Bay Village	Plans Examiner Mech. (Res.) Plans Examiner (Mechanical) Mechanical Inspector
Romero, Marcos	Aventura	Roofing Insp. (Commercial) Roofing Inspector (Res.)

Romero, Marcos	Miami	Roofing Insp. (Commercial) Roofing Inspector (Res.)
Saez, Jose A.	Coral Gables	Mechanical Inspector
Soto, Mario	Miami-Dade County	Plans Examiner (Building)
Suleman, Christopher	Miami-Dade County	Building Insp. (Structural)
Urquiaga, Wilfredo	Miami-Dade County	Plumbing Inspector

Mr. Salvador then made a motion to grant New Certification to the individuals mentioned on the agenda. Motion seconded by Mr. Diaz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

The following individual is being recommended for **rejection** for **New Certification** for 2000.

INSPECTOR:

REPRESENTING:

DISCIPLINES:

Rodriguez, Alberto

Miami

Plans Examiner (Mechanical)

(Mr. Rodriguez must have a Miami-Dade County General Mechanical license for Plans Examiner.

Mr. Salvador made a motion to reject Mr. Alberto Rodriguez for New Certification. Motion seconded by Mr. Velazquez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Meeting adjourned at 2:16 p.m.

MINUTES OF THE BOARD OF RULES AND APPEALS MEETING ON 05-18-00

Attendance: Richard Horton, VC William Riley Enrique Salvador Steven L. Johns
Rolando Diaz Moshe Weitz Arnold Velazquez Carmen Garcia
John Kurzman Jesus M. Gomez Capt. William Strachan

Excused: Thomas Utterback, CH Edward Woodward Gregory Pierce

Absent: Justin Manuel Robert Barnes

Staff Present: Francisco J. Quintana, Secretary Yvonne Bell, Recording Secretary

Court Reporter: Isabel Seralnick

Commenced at 1:20 p.m.

Minutes of April 13th, 2000

Mr. Horton requested a motion to approve the minutes for the April 13th, 2000 meeting. Mr. Kurzman moved to approve the minutes and Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Horton requested a motion of the Board to accept the Consent Agenda.

CONSENT AGENDA

APPEAL #1: TCO EXTENSION, PERMIT No. 96055847, Maresma

APPEAL #2: TCO EXTENSION, PERMIT No. 1998039956, Murphy

APPEAL #3: TCC EXTENSION, PERMIT No. B9904197, Hogle

APPEAL #4: TCO EXTENSION, PERMIT No. B9901174/BCC0000050, Lurie

APPEAL #5: TCO EXTENSION, PERMIT No. 94-004936, Waserstein

Mr. Horton then informed the Board that Appeal No. 6 was deferred at the appellant's request due a discrepancy in the permit number.

APPEAL #6: TCO EXTENSION, PERMIT No. B8800095, Fine

Mr. Kurzman moved to accept the Consent Agenda. Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #1: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami, Mangiamo Restaurant, 2960 S.W. 8 Street, Section 4613.19(c) of the SFBC, Restroom and Equipment Exhaust Fan

Mr. Alex Zalez explained to the members that they were denied approval because of the restroom fixture count. Mr. Zalez stated that the owner has no plans to sell alcohol, so therefore, to require these additional fixtures are a bit extreme.

Mr. Roberto Hevia, Building Official for the City of Miami, stated that Chapter 46 is what they are standing on and they do not have anything stating that alcohol will not be served at this restaurant.

Mr. Jorge Gamoneda, Code Compliance Specialist (Plumbing), stated that if this place of business is only going to seat 12 people, then it is a little extreme to ask for these requirements of four toilets and four lavatories. Mr. Gamoneda further stated that if they do not serve alcohol the Health Department would not demand that a urinal be added.

After some discussion, Mr. Salvador made a motion to grant the appeal with or without a urinal. Also, that a statement to the Building Official of the City of Miami be submitted from the architect and the owner as to the number of people occupying this place and that no alcohol will be served. Motion seconded by Mr. Johns.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, The Townhouse Hotel, 150-20th Street, Section 1812.2 of the SFBC, Exterior Roof Decks

Mr. Charles Benson informed the members that they are doing a full renovation to the hotel and the owner is requesting the use of Trex wood-polymer lumber, as a decorative deck, which has a Class "C" flame spread. Mr. Benson further informed the Board that this building has an automatic sprinkler system and fire alarm.

Mr. Philip Azan, Building Official for the City of Miami Beach, stated that he really does not have an opinion since it is not specifically addressed by the South Florida Building Code, therefore he is seeking a decision of the Board of Rules on this matter.

After some discussion, Mr. Kurzman made a motion to grant the use of the Trex wood-polymer lumber. Motion seconded by Mr. Diaz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #3: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, The Continuum, 100 South Pointe Drive, Section 302.2(B)(3) of the SFBC, Shoring of Structural Components

Mr. Weitz made a motion to grant the appeal based on prior appeals with the same situation. Motion seconded by Mr. Diaz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Horton further requested a motion to address upcoming appeals with the same condition that they be placed on the Consent Agenda. Mr. Weitz made a motion to place these items on the Consent Agenda and Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

TCO/TCC APPEAL

APPEAL #1: TCO EXTENSION, PERMIT No. 1994077897, Unincorporated Miami-Dade County, 24775 S.W. 87 Avenue, Black Point Marina

Mr. Harold Tuggle explained to the Board that 67% of the building is completed and he needs about 30 to 35 days to fully complete the structure. All the new pumps are installed and the offices are completely done.

Mr. Flavio Gomez, Building Division Director for the Building Department of Unincorporated Miami-Dade County, stated that this issue has been ongoing for a long period of time and would like a commitment that this job will be fully completed.

After some discussion, Mr. Kurzman made a motion to grant a 60-day TCO extension. Motion seconded by Mr. Diaz.

Motion carried. (Mr. Riley and Mr. Johns were opposed)

(For a verbatim version of the aforementioned item, refer to the transcript.)

INTERPRETATION

Mr. Roy Van Wyk, Electrical Division Director for the Building Department of Unincorporated Miami-Dade County, stated that this interpretation does not mandate that other jurisdictions follow the same procedure on how they review fire alarm drawings. Mr. Van Wyk explained that they just changed their process to where shop drawings for existing permits would go straight to the Fire Department. He added that he met with Mr. Humberto Codispoti and they decided that he will rely on the electrical issues, therefore, this would eliminate a redundant review process as well as less costly. Mr. Van Wyk concluded with asking that the Board continue to allow Miami-Dade County to use this process, which avoids two departments doing the same thing.

Mr. Kurman stated that this process would impact other municipalities with the exception of Miami Beach and Coral Gables and expressed that he would like to get the word out before he endorses this issue. He further added that this issue should be tabled until he can meet with the Urban Leagues of the City.

Mr. Richard Horton expressed that this process needs to be investigated and suggested that it go to Subcommittee for their review before the next regular scheduled Board of Rules and Appeals meeting.

After much discussion, Mr. Salvador made a motion to send this issue to Subcommittee with the notification of industry. Motion seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

REPORTS:

Blue Haven Pools

Mr. Jamie Benito, addressed the Board and gave an update as to the status of finalizing of several permits that were open. He stated that another three permits had been approved for renewal and they are working with the customers to get these matters resolved. Mr. Benito further added that he would return at the next meeting with another update.

Certification of Inspectors/Plans Examiners for May

Mr. Stephen Johns reported on the recommendations of the Certification Subcommittee and presented the following individuals for New Certification and Rejection for New-Certification:

The following individuals are being recommended for **approval** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Acebo, Jorge L	Miami-Dade County	Roofing Insp. (Commercial) Roofing Insp. (Residential)
Carr, Vincent D.	Miami-Dade County	Roofing Insp. (Commercial) Roofing Insp. (Residential)
Curi, Martin	Miami	Roofing Insp. (Commercial) Roofing Insp. (Residential) Building Insp. (Structural)
Evers, Charles	Surfside	Plans Examiner (Building) Roofing Insp. (Commercial) Roofing Insp. (Residential) Building Insp. (Structural)
Gutierrez, R.A., Juan	Hialeah	Building Official
Leggett, James E.	Miami Beach	Building Insp. (Structural) Building Insp. (Residential)
Puig, Alberto R.	Miami-Dade County	Building Insp. (Structural)
Saez, Jose A.	North Miami	Mechanical Inspector
Willis, Henry L.	Pinecrest	Roofing Insp. (Residential)

Mr. Salvador made a motion to accept those applicants applying for New Certification. Motion seconded by Mr. Johns.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

The following individuals are being recommended for **rejection** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Rivas, Roger (Mr. Rivas must submit proof of five-(5) year's experience under his General Contractor local license as per the South Florida Building Code, Section 201.2(a)(3)(cc).	Miami-Dade County	Plans Examiner (Building)
Saez, Jose A. (Must have a Master General Mechanical Certificate of Competency issued by the Dade County Construction Trade Qualifying Board, SFBC 4901.2(d)(i)(e), 4901.2(a)(bb).	North Miami Dade County	Plans Examiner (Mechanical)

Mr. Johns then added that there were two individuals being rejected for New Certification.

Mr. Roger Rivas explained to the members that he was rejected because he did not have enough time on his General Contractors license. Mr. Rivas stated that he has been licensed for three years and has been employed with Miami-Dade County since 1992 as a Building Inspector for Roofing and Structural.

After some discussion, Mr. Weitz made a motion to grant Mr. Rivers new certification due to the fact he qualifies under Section 201.2(a) 3(dd) of the South Florida Building Code. Motion seconded by Salvador.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Jose Saez informed the Board that he has a State Inspector and Plans Examiner license. He would like a temporary license so he could remain working in this field.

Mr. Pete Quintela commented that Mr. Saez does not comply with the requirements of the South Florida Building Code under Chapter 49. He explained that there was an exception granted in 1994 for those that had a state license and were doing the job at the time. Individuals were given two years to pass the exam and then they would be granted the position. Mr. Quintela further stated that Mr. Saez holds a State air-conditioning license.

After some discussion, Mr. Horton informed Mr. Saez that the decision of the Certification Subcommittee to reject him will remain.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

MIA REPORT

A motion was made by Mr. Salvador to accept the report as submitted by Mr. Bonzon. Motion seconded by Mr. Johns.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Meeting adjourned at 2:45 p.m.

MINUTES OF THE BOARD OF RULES AND APPEALS MEETING ON 06-15-00

Attendance: Richard Horton, VC William Riley Enrique Salvador Rolando Diaz Moshe Weitz
Arnold Velazquez Carmen Garcia John Kurzman Jesus M. Gomez Robert Barnes
Capt. William Strachan Justin Manuel

Excused: Thomas Utterback, CH Edward Woodward Gregory Pierce

Absent: Steven L. Johns

Staff Present: Francisco J. Quintana, Secretary Yvonne Bell, Recording Secretary

Court Reporter: Isabel Seralnick

Commenced at 1:25 p.m.

Minutes of May 18th, 2000

Mr. Horton requested a motion to approve the minutes for the May 18th, 2000 meeting. Mr. Velazquez moved to approve the minutes and Mr. Riley seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Horton requested a motion of the Board to add the Emergency Consent Agenda. A motion was made by Mr. Kurzman to accept and add the Emergency Agenda item. Mr. Riley seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

CONSENT AGENDA

APPEAL #1: TCO EXTENSION, PERMIT No. 97066519, Maresma

APPEAL #2: TCC EXTENSION, PERMIT No. B9904688, Alvarez

APPEAL #3: TCO EXTENSION, PERMIT No. 99-5002405, Diesendruck

APPEAL #4: TCO EXTENSION, PERMIT No. B9903966, Lazes

APPEAL #5: TCO EXTENSION, PERMIT No. B9702391, Bronson

APPEAL #6 TCO EXTENSION, PERMIT No. B9703176, Palmer

EMERGENCY CONSENT AGENDA

APPEAL #1: TCO EXTENSION, PERMIT No. B9700865, Bloomberg

Mr. Kurzman moved to accept the Consent Agenda and Emergency Agenda. Mr. Riley seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Horton then informed the Board that Appeal No. 1 and 7 were deferred at the appellant's request and Appeal #9 was withdrawn at the request of the Appellant.

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 120 Ocean Drive, Section 304.3(b) of the SFBC, Extension of Permits

Mr. Harold Rosen informed the Board that the extension is needed to complete a new 29-unit condominium building with retail and restaurant.

After some discussion, Mr. Riley made a motion to grant an extension on permit. Motion seconded by Mr. Salvador.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, The Townhouse Hotel, 150-20th Street, Section 1812.2 of the SFBC, Exterior Roof Decks

Mr. Charles Benson informed the members that they are doing a full renovation to the hotel and the owner is requesting the use of Trex wood-polymer lumber, as a decorative deck, which has a Class "C" flame spread. Mr. Benson further informed the Board that this building has an automatic sprinkler system and fire alarm.

Mr. Philip Azan, Building Official for the City of Miami Beach, stated that he really does not have an opinion since it is not specifically addressed by the South Florida Building Code, therefore he is seeking a decision of the Board of Rules on this matter.

After some discussion, Mr. Kurzman made a motion to grant the use of the Trex wood-polymer lumber. Motion seconded by Mr. Diaz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #3: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, The Continuum, 100 South Pointe Drive, Section 302.2(B)(3) of the SFBC, Shoring of Structural Components

Mr. Weitz made a motion to grant the appeal based on prior appeals with the same situation. Motion seconded by Mr. Diaz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Horton further requested a motion to address upcoming appeals with the same condition that they be placed on the Consent Agenda. Mr. Weitz made a motion to place these items on the Consent Agenda and Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

TCO/TCC APPEAL

APPEAL #1: TCO EXTENSION, PERMIT No. 1994077897, Unincorporated Miami-Dade County, 24775 S.W. 87 Avenue, Black Point Marina

Mr. Harold Tuggle explained to the Board that 67% of the building is completed and he needs about 30 to 35 days to fully complete the structure. All the new pumps are installed and the offices are completely done.

Mr. Flavio Gomez, Building Division Director for the Building Department of Unincorporated Miami-Dade County, stated that this issue has been ongoing for a long period of time and would like a commitment that this job will be fully completed.

After some discussion, Mr. Kurzman made a motion to grant a 60-day TCO extension. Motion seconded by Mr. Diaz.

Motion carried. (Mr. Riley and Mr. Johns were opposed)

(For a verbatim version of the aforementioned item, refer to the transcript.)

INTERPRETATION

Mr. Roy Van Wyk, Electrical Division Director for the Building Department of Unincorporated Miami-Dade County, stated that this interpretation does not mandate that other jurisdictions follow the same procedure on how they review fire alarm drawings. Mr. Van Wyk explained that they just changed their process to where shop drawings for existing permits would go straight to the Fire Department. He added that he met with Mr. Humberto Codispoti and they decided that he will rely on the electrical issues, therefore, this would eliminate a redundant review process as well as less costly. Mr. Van Wyk concluded with asking that the Board continue to allow Miami-Dade County to use this process, which avoids two departments doing the same thing.

Mr. Kurman stated that this process would impact other municipalities with the exception of Miami Beach and Coral Gables and expressed that he would like to get the word out before he endorses this issue. He further added that this issue should be tabled until he can meet with the Urban Leagues of the City.

Mr. Richard Horton expressed that this process needs to be investigated and suggested that it go to Subcommittee for their review before the next regular scheduled Board of Rules and Appeals meeting.

After much discussion, Mr. Salvador made a motion to send this issue to Subcommittee with the notification of industry. Motion seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

REPORTS:

Blue Haven Pools

Mr. Jamie Benito, addressed the Board and gave an update as to the status of finalizing of several permits that were open. He stated that another three permits had been approved for renewal and they are working with the customers to get these matters resolved. Mr. Benito further added that he would return at the next meeting with another update.

Certification of Inspectors/Plans Examiners for May

Mr. Stephen Johns reported on the recommendations of the Certification Subcommittee and presented the following individuals for New Certification and Rejection for New-Certification:

The following individuals are being recommended for **approval** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Acebo, Jorge L	Miami-Dade County	Roofing Insp. (Commercial) Roofing Insp. (Residential)
Carr, Vincent D.	Miami-Dade County	Roofing Insp. (Commercial) Roofing Insp. (Residential)
Curi, Martin	Miami	Roofing Insp. (Commercial) Roofing Insp. (Residential) Building Insp. (Structural)
Evers, Charles	Surfside	Plans Examiner (Building) Roofing Insp. (Commercial) Roofing Insp. (Residential) Building Insp. (Structural)
Gutierrez, R.A., Juan	Hialeah	Building Official
Leggett, James E.	Miami Beach	Building Insp. (Structural) Building Insp. (Residential)
Puig, Alberto R.	Miami-Dade County	Building Insp. (Structural)
Saez, Jose A.	North Miami	Mechanical Inspector
Willis, Henry L.	Pinecrest	Roofing Insp. (Residential)

Mr. Salvador made a motion to accept those applicants applying for New Certification. Motion seconded by Mr. Johns.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

The following individuals are being recommended for **rejection** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Rivas, Roger (Mr. Rivas must submit proof of five-(5) year's experience under his General Contractor local license as per the South Florida Building Code, Section 201.2(a)(3)(cc).	Miami-Dade County	Plans Examiner (Building)
Saez, Jose A. (Must have a Master General Mechanical Certificate of Competency issued by the Dade County Construction Trade Qualifying Board, SFBC 4901.2(d)(i)(e), 4901.2(a)(bb).	North Miami Dade County	Plans Examiner (Mechanical)

Mr. Johns then added that there were two individuals being rejected for New Certification.

Mr. Roger Rivas explained to the members that he was rejected because he did not have enough time on his General Contractors license. Mr. Rivas stated that he has been licensed for three years and has been employed with Miami-Dade County since 1992 as a Building Inspector for Roofing and Structural.

After some discussion, Mr. Weitz made a motion to grant Mr. Rivers new certification due to the fact he qualifies under Section 201.2(a) 3(dd) of the South Florida Building Code. Motion seconded by Salvador.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Jose Saez informed the Board that he has a State Inspector and Plans Examiner license. He would like a temporary license so he could remain working in this field.

Mr. Pete Quintela commented that Mr. Saez does not comply with the requirements of the South Florida Building Code under Chapter 49. He explained that there was an exception granted in 1994 for those that had a state license and were doing the job at the time. Individuals were given two years to pass the exam and then they would be granted the position. Mr. Quintela further stated that Mr. Saez holds a State air-conditioning license.

After some discussion, Mr. Horton informed Mr. Saez that the decision of the Certification Subcommittee to reject him will remain.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

MIA REPORT

A motion was made by Mr. Salvador to accept the report as submitted by Mr. Bonzon. Motion seconded by Mr. Johns.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Meeting adjourned at 2:45 p.m.

Mr. Richard Feder explained that from July to December they had numerous partial inspections because they were conducting business during construction. Final mechanical inspections were denied upon request because they did not have fire dampers on the A/C grills. In addition, he was told that the newly installed ceiling had to be torn out. Mr. Feder further stated that the space was built within the approved plans from the City of South Miami and the Miami-Dade Fire Department and felt that it would be a hardship for the business at this stage.

Mr. Augusto Gomez, City of South Miami, stated that he noticed that the fire-rated ceiling were not being installed during an inspection conducted in December 1999. Mr. Gomez explained to the members that this structure is Type III protected, because it is a two-story building, which requires that a fire rated ceiling be added to protect the bar joists on the second floor and also include fire dampers.

After much discussion, a motion was then made by Mr. Horton to accept a fire-rated ceiling tile in lieu of having to put drywall and also waive the requirements of the fire dampers. Motion seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #3: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Hialeah, 133 N.E. 9 Avenue, Section 1405.2(c) of the SFBC, Florida Room Addition

Mrs. Lucretia Scarlata stated a current survey on the house showed the backyard is higher than the front and indicates that the floor inside the house is also lower than the ground.

Mr. Silvio Silveira, Building Specialist for Code Compliance, stated that he did measure the building and it was 7'1 on one end and 7'2 on the other end.

After some discussion and reference from the SFBC Section 1405.2(c), Mr. Horton made a motion to grant the appeal on the basis that the average height is 7'4. Motion seconded by Mr. Velazquez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #4: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, Various Locations, Section 304.2(c) of the SFBC, Failure to obtain final inspections

Mr. Bob Cicero commented that they would like to reopen the permits and apply for a final under the Code applicable at the time that the permits were issued in 1993 and 1994.

Mr. Philip Azan, Building Official for the City of Miami Beach, commented that the new permit obtained for work completed was allowed under the permit approved five years ago.

After some discussion, Mr. Kurzman made a motion to grant the appeal and the motion was seconded by Mr. Pierce.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #5: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 1680 Michigan Avenue, Section Chapter 49 of the SFBC, Painted Air-conditioning duct

Mr. Ilija Mossdrop described the open plan layout of the office space. He explained that the tenant wanted the duct painted, which would allow a flame spread of rating of five and a smoke distribution rating of zero. Mr. Mossdrop added that a TCO was issued so the tenant is conducting business and it would be very disruptive to remove the duct at this point.

Mr. Philip Azan, Building Official for the City of Miami Beach, informed the Board that the previous ruling on Club Madonna was for them to do a test on the paint work because the original UL listed test was not done with a painted system. He further informed the Board that he has received a letter from the manufacturer stating that they do not see a problem with the duct being painted.

After some discussion, Mr. Weitz made a motion to grant the appeal based on the information in the manufacture's letter. Motion seconded by Mr. Velazquez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #6: APPEAL OF BUILDING OFFICIAL'S DECISION: City of South Miami, 6730 S.W. 75 Terrace, Section 304 of the SFBC, Expired Swimming Pool Permits

After a presentation by Mr. Marko Soto, Mr. Velazquez stated that the Board should direct the City to open the permits so that the final inspections can be conducted and permits can be closed out.

Assistant County Attorney, Mr. Hugo Benitez, informed the members that there is no jurisdiction for the Board to extend the permits. He indicated that Mr. Mossdrop was free to pull a new permit and take advantage, if available, of the Amnesty Ordinance.

Mr. Gomez, City of South Miami, commented that Mrs. Lama would not have a problem if the Board were to extend the permit so that the owner can close them out.

After some discussion, Mr. Velazquez made a motion to extend the permit. Motion seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

TCO/TCC APPEAL

APPEAL #1: TCC EXTENSION, PERMIT No. B9801740, City of Miami Beach, The Grand Flamingo – South Building, 1500 Bay Road

Mr. Carter McDowell stated that these buildings are under construction and the North building was currently vacant. He informed the Board that the tenants signed an addendum to their lease in August of 1999. Mr. McDowell stated that the manager of the property wrote the tenants this month informing them that if he would allow for their lease to be broken, but their rent had to be paid up to date.

Mr. Gary Quhl, the Construction Manager for the property, stated that the North building is unoccupied and they have a series of inspections getting ready to take place, but since there has been a change in contractors things need to be assessed properly. He informed the members that he needed four months to complete the repairs to the pool and the South building and he is also doing everything he can to keep the tenants informed as to the status of the repairs.

Mr. Philip Azan, the Building Official for Miami Beach, stated that he had no objection to the Board extending the TCC, but the tenants are concerned as to the timeliness of the completion of the buildings.

Dr. Jessie Huebner, Representative for the Grand Flamingo tenants, stated that the tenants are concerned for their health and vehicles during the repair process. He informed the members that there was a liquid coming through his roof and tests indicated that the liquid was raw sewage. Mr. Huebner explained that he eventually left The Grand Flamingo and returned in September of 1999 to the same conditions. He assured the members that all the tenants wanted was to be kept abreast as to the progress of the repairs.

After much discussion, Mr. Horton made a motion that since they only need four months to complete the repairs, therefore, he would grant the 60-day extension. Motion seconded by Mr. Pierce.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

DISCUSSION #1

Rational Analysis and Product Approval Applicability

Mr. Arnold Velazquez addressed the members regarding the acceptance of rational analysis and asked them to consider relief measures for the design industry.

Mr. Eddie Zamora commented that shop drawings are made according to the designer's architectural specifications and explained that it is hard when you do the job a certain way and then it goes through the whole process only find out that it has to be done another way.

Mr. Raul Rodriguez, Chief of the Product Control Division, explained to the Board that they are limiting the engineer's in the design of the system they are involved the approval process. He further stated the reason it went to the Building Code and Product Review Committee (BCPRC) was because the Code states that in matters related to products, the appeals process of these products go to BCPRC.

Dr. Phang, Dean of the School of Engineering at the University of Miami, stated that rational analysis is an integral part of the design process.

Mr. Benitez informed the members that the Code was clear. The proponents were not able to persuade the Advisory Committee and the next step for them would be to take this matter to the Board of County Commissioners.

CLARIFICATION

Sections 901 and 902.1(d) of the South Florida Building Code, D-3 Occupancy

Mr. Roberto Hevia, Building Official for the City of Miami, explained that he needed clarification on D-3 Occupancy and adult living facilities. He stated that he considered adult living facilities as D-3 Occupancies, since Section 902.1(d) of the SFBC states that "Division 3 Occupancies providing for more than 6 individuals shall be considered "Group H" Occupancies for all requirements.

Mr. Rene Fraga, ADA Code Compliance Office Specialist, informed the members that he agreed with Mr. Hevia that more than six inmates should be classified as "Group H".

Mr. Benitez informed the Board that he is not sure if this falls under "Group H" occupancy in this type of facility and whether or not they are subject to ADA.

Mr. Utterback informed the members that this item would be tabled until the opinion was received from the Assistant County Attorney.

REPORTS

Miami International Airport – Open Permits

Mr. Charles Danger, Building Official for Unincorporated Miami-Dade County, informed the Board that some of the airport permits have since been canceled because of no activity and the ones that are open are being renewed. He further informed the members that Mr. Carlos Bonzon has been working very hard to comply with the County Manager's directives to address permit issues at the Airport.

Probable Cause Panel

Mr. Utterback informed the members that there needed to be more the three members on the panel on order to provide quorum. He assigned that the following members be added to the panel; Robert Barnes (Architect), Capt. William Strachan (Fireman), Jesus Gomez (Engineer), William Riley and Gregory Pierce (Roofing).

Certification of Inspectors/Plans Examiners for February

Mr. Gonzalez reported on the recommendations of the Certification Subcommittee and presented the following information of individuals for Approval for Re-Certification, New Certification and Rejection for New-Certification:

The following individuals are being recommended for **approval** for **Re-Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Berkman, Michael	Medley	Building Inspector (Structural) Plans Examiner (Building)
Burgess, Robert	Miami	Plumbing Inspector
Fraley, Richard	Miami Dade County	Building Inspector (Structural)
Garcell, Joseph	South Miami	Building Insp. Comm. Roofing
Guasp, Jorge	Sweetwater	Electrical Inspector Plans Examiner (Electrical)
Lorenzo, Rogelio	Miami Dade County	Plumbing Inspector
Peterson Sr., Richard G.	Biscayne Park El Portal	Chief Electrical Inspector Chief Electrical Inspector
Rettig, Rodger E.	Miami Dade County	Plumbing Inspector
Tarajano, Jesus	Miami	Plans Examiner (Plumbing)

Weiner, Norman	North Bay Village	Plumbing Inspector Plans Examiner (Structural)
----------------	-------------------	---

The following individuals are being recommended for **approval** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Dominguez, Pedro M.	Miami	Plans Examiner (Mechanical) Plans Examiner Mech. Res. Mechanical Inspector
Gilbert, Steven S.	Miami Dade County	Plans Examiner (Electrical)
Hernandez, Robert	Coral Gables	Plans Examiner Plumbing Plumbing Inspector
Lindgren, John C.	Golden Beach	Chief Inspector (Plumbing) Plans Examiner (Plumbing) Plumbing Inspector
Llanos, Leo	Pinecrest	Chief Inspector (Building)
Makowski, Stan J.	Miami Beach	Bldg. Insp. Comm. Roofing Building Insp. (Structural)
Nieda, Daniel B.	Surfside	Chief Building Inspector
Pons, Maurice L.	Miami	Plans Examiner (Building)
Seinfeld, Jack	Sunny Isles Beach	Plans Examiner (Building) Building Insp. (Structural)
Stein, Edward H.	Golden Beach	Chief Inspector (Mechanical) Plans Examiner Mech. (Res.) Mechanical Inspector
Urrutia, Jorge	Miami	Plans Examiner (Building) Roofing Inspector (Comm.) Roofing Inspector (Res.) Building Insp. (Structural)
Willis, Henry L.	Pinecrest	Building Insp. (Structural)

The following individuals are being recommended for **rejection** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Seinfeld, Jack	Sunny Isles Beach	Roofing Insp. Comm. Roofing Roofing Inspector Res. Roofing
(Fails to qualify for Commercial and Residential Roofing Inspector per South Florida Building Code, Section 201.2(c)(3)(4) and 201.2(c)(3). Does not possess necessary Certificate).		
Williams, Walter L. (Must obtain a State of Florida Inspector License.)	Miami Beach	Mechanical Inspector
Willis, Henry L. (Applicant lacks necessary License per the South Florida Building Code, Section 201.2(c) and 201(d).)	Pinecrest	Roofing Inspector (Res.)

Information:

Arteaga, Juan – No longer employed by Miami-Dade County as Plans Examiner Building.

Dominguez, Pedro – No longer employed by Miami-Dade County as Mechanical Inspector, Plans Examiner Mechanical and Plans Examiner Mechanical Residential.

Martinez, Angel – No longer employed by Miami-Dade County as Plumbing Inspector.

Perez, Andres – No longer employed by Miami-Dade County as Plans Examiner Mechanical.

Vila, John – No longer employed by Miami-Dade County as Building Inspector Structural (Restricted).
The following individuals are being recommended for **approval** for **Re-Certification** for 2000.

Mr. Salvador made a motion to accept the certification recommendations as given by Mr. Gonzalez. Motion seconded by Mr. Diaz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

EMERGENCY AGENDA

Mr. Utterback informed the members that the appeal on the Emergency Agenda had been deferred until further notice.

NON-AGENDA APPEAL

Miramar Tower – Bay Parc Plaza, 1756 N. Bayshore Drive

A motion was made by Mr. Salvador to hear the item. Motion seconded by Mr. Diaz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mrs. Vicky Floyd informed the Board that they have a \$70,000 investment and was not aware of the ACA Fire Duct. She added that the product was sold and had no understanding as to the in-use application of the product, but would like the Board to know that they want to permit the use of the product in the way it was installed.

Mr. Roberto Hevia, Building Official for the City of Miami, commented that the materials were installed without the proper product approval. The duct is in the elevator shaft and a two-hour assembly on the shaft is required.

The Assistant County Attorney informed the members that it would not be in the Board's best interest to hear this, since all of the parties had not been properly notified.

A motion was made by Mr. Horton to adjourn and Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Meeting adjourned at 4:30 p.m.

MINUTES OF THE BOARD OF RULES AND APPEALS MEETING ON 07-20-00

Attendance: Thomas Utterback, CH Richard Horton, VC William Riley Enrique Salvador Rolando Diaz
Moshe Weitz Arnold Velazquez John Kurzman Robert Barnes
Capt. William Strachan Justin Manuel Steven L. Johns Gregory Pierce

Excused: Carmen Garcia Edward Woodward Jesus M. Gomez

Staff Present: Francisco J. Quintana, Secretary Hugo Benitez, Asst. County Atty.
Yvonne Bell, Recording Secretary

Court Reporter: Isabel Seralnick

Commenced at 1:25 p.m.

Minutes of June 15th, 2000

Mr. Utterback requested a motion to approve the minutes for the June 15th, 2000 meeting. Mr. Horton moved to approve the minutes and Mr. Salvador seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Utterback requested a motion of the Board to hear the item on the Emergency Consent Agenda with the regular Consent Agenda. A motion was made by Mr. Kurzman to add the Emergency Consent Agenda item. Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

CONSENT AGENDA

APPEAL #1: TCC EXTENSION, PERMIT No. B9903236, Lieberman

APPEAL #2: TCO EXTENSION, PERMIT No. B2000018166, Rodriguez

APPEAL #3: TCO EXTENSION, PERMIT No. 9801292, Fine

APPEAL #4: TCO EXTENSION, PERMIT No. B9902934, Holland

APPEAL #5: TCC EXTENSION, PERMIT No. B9702309, Pokrywa

APPEAL #6 TCO EXTENSION, PERMIT No. B9903966, Lazes

APPEAL #7 TCO EXTENSION, PERMIT No. 985006637, Vazquez

EMERGENCY CONSENT AGENDA

APPEAL #1: TCO EXTENSION, PERMIT No. BC099180, de la Fuente

Mr. Pierce moved to approve the Consent Agenda and Emergency Consent Agenda item. Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Utterback then informed the Board that Appeal No. 3 on the Emergency Agenda had been **withdrawn**. Appellant met with Building Official prior to the hearing and resolved the matter.

APPEAL #1: APPEAL OF BUILDING OFFICIAL'S DECISION: City of South Miami, 7401 S.W. 63 Court, Section 304.3(b) of the SFBC, Extension of Permits

Mr. Allen Thorn informed the Board that the extension is needed because he failed to close out the permit after the completion of the roof. Mr. Thorn further stressed that time is of the essence because he is in the process of selling the house.

After some discussion, Mr. Riley made a motion that new permits should be issued and previous inspections should be honored in order to obtain final inspections. The motion was seconded by Mr. Salvador.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #3: APPEAL OF BUILDING OFFICIAL'S DECISION: City of South Miami, 6600 S.W. 54 Lane, Section 304.3(a) of the SFBC, Extension of Permits

Due to the same conditions as the prior case, Mr. Kurzman made a motion to grant an extension on the permit. The motion was seconded by Mr. Velazquez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

EMERGENCY AGENDA ITEM #2

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of South Miami, 5100 S.W. 65 Avenue, Section 304.3(a) of the SFBC, Extension of Permits

Mr. Ghislain Lemarie requested an extension of the permit in order to obtain a final inspection. He also produced a letter of recommendation from the Building Official Ms. Sonia Lama supporting his appeal.

After some discussion, Mr. Salvador made a motion to grant the extension given the circumstances of the case. Mr. Velazquez seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 624 Collins Avenue, Section 104.10 of the SFBC, Historic Structures

Mr. Richard Groden stated that they are rehabilitating this historic building and feels that the existing shoring is adequate enough to brace the building against hurricane force winds.

Mr. Mohammad Partovi commented that he was requesting that the temporary bracing of the building be designed to withstand 100-mph winds, but if the Board allows the shoring at 75mph he has no problem with that.

Mr. Jaime Eisen informed the Board that the wall reinforcement and the bracing system shown in the plans are adequate enough to sustain the design load on a temporary basis.

After some discussion, Mr. Velazquez made a motion to grant the appeal and allow the existing shoring to remain in place without adding bracing until the structural work is completed and the plans show adequate design hurricane loads for temporary use. The motion was seconded by Mr. Salvador.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #5: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 713 Washington Avenue, Chapter 49 of the SFBC, Painted Air Conditioning Duct

Mr. Edward Winer informed the Board that this is a brand new building that is a clothing store on Miami Beach, where the air duct was painted accidentally with semi-gloss water based paint. He stated that it would very costly to remove the 60ft duct without causing additional damage. He presented a letter from the supplier, who has no problem with the duct being painted and requested of the Board to permit the duct in its present condition.

Mr. Pete Quintela, Mechanical Code Compliance Specialist, explained to the members that they have no control and no way of knowing what paint is being used, it could be flammable.

After some discussion, Mr. Weitz made a motion to grant the use of the painted duct, since the supplier has no objections. The motion was seconded by Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #6: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, Souaid Residence, 6440 North Bay Road, Exposed Wood Beams at Covered Entry

Mr. Eusebio Mora stated that this is a covered entryway, where the beams are 4ft 10 in. and are anchored to the poles. He stated that the inspector took the wood that was discarded to do his testing.

Mr. Mohammad Partovi explained that the beams expand 10ft from where the load goes to the ridge beam, which is not supported. He further explained that with the wood he collected, he was able to drive a penny nail through it, therefore, the wood does not comply with the Code.

Mr. Weitz stated that the boards are not uniformed and if there were a load test given on the structure they would find that some areas are solid and some are not.

Mr. Barnes suggested that maybe the owner could perform a test with a jack and find that he may not need a load test.

After much discussion, Mr. Horton made a motion that the homeowner is to submit calculations as well as meet with Mr. Partovi to design alternative methods to bring the installation into compliance with the SFBC. Mr. Diaz seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #7: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Homestead, The Redland Hotel, 5 South Flagler Avenue, Historic Structure

Mr. Rex Oleson stated that his wife is the owner of this historic hotel and they are in the process of renovating. He would like to re-glaze six doors with glass in keeping with the historic nature. Mr. Oleson informed the members that they have completed three of the four items approved by the members of the Homestead Historic Preservation Board.

Mr. Thomas Lampert, Building Official for the City of Homestead, commented that the only objection he has is regarding Item #1 regarding storm shutters for the door.

After some discussion, Mr. Horton made a motion to grant the appeal with the completion of Item Nos. 2, 3 and 4 of the list. As to Item No. 1, the owner is to conduct a structural analysis test since storm shutters will not be used. The motion was seconded by Mr. Weitz.

Motion carried unanimously. (Mr. Barnes excused himself from this appeal).

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #4: APPEAL OF BUILDING OFFICIAL'S DECISION: Unincorporated Miami-Dade County, 8440 N.W. 27 Avenue, Section 4605.1(e) of the SFBC, Water Service Encroachment

Mr. Wayne Orr stated that they received information that Firestone Tire & Rubber was experiencing a leak causing their water bill to exceed \$5000.00. They in turn pulled a permit and found 75% of the pipe to be rotted and therefore, the water line needed to be replaced in order to eliminate the leak.

Mr. Gary Perkins informed the members that according to Section 4903.3(b) of the SFBC that an agreement between two parties has to be recorded with the Clerk of the Courts.

After some discussion, Mr. Kurzman made a motion to grant the appeal on the basis that there was a written agreement between the parties to repair the water line and allow it to remain in its existing location. Mr. Diaz seconded the motion.

Motion carried unanimously. (Mr. Salvador excused himself from this appeal).

(For a verbatim version of the aforementioned item, refer to the transcript.)

EMERGENCY AGENDA ITEM #1

APPEAL #1: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami, The Mandarin Oriental Hotel, 500 Brickell Key, Section 4904.2(c) 2 of the SFBC, Access Openings for Equipment

Mr. Alfonso Fernandez-Fraga stated that they would like the installed access opening for equipment to remain since the coils can not be removed, but they can be cleaned. He requested that the fan coils remain until they need to be replaced. Mr. Fraga stated that the access panel was put in the best spot available and the owner wants to maintain the existing layout.

Mr. Roberto Villanueva, Chief Mechanical Inspector for the City of Miami, explained that the original design was larger at the opening sides and the access panel was underneath the unit and the inspector should have red tagged the unit at that time. He further added that he has no objection to the access panel remaining where it is, since this is a hotel.

Mr. Pete Quintela, Mechanical Building Code Compliance Specialists, stated that the dampers did not comply with the South Florida Building Code and the work had been concealed all the way up to the 20th floor without an approved set of plans. He also agreed that the owners of the hotel should have been tagged.

Mr. Horton stated that to have the unit completely removed is not practical.

After some discussion, a motion was made by Mr. Horton to grant the appeal recognizing that adequate access was being provided based on the specific conditions of the job and the fact that this is a hotel with a full maintenance staff. A covenant is also to be recorded as to the violation of the access panel. The motion was seconded by Mr. Salvador.

Motion carried. (Mr. Velazquez and Mr. Kurzman were opposed).

(For a verbatim version of the aforementioned item, refer to the transcript.)

INTERPRETATION

APPEAL #1: Insulation Inspection of Cellular Lightweight – Insulating Concrete on Roof Decks

Mrs. Juliana Salas, Deputy Building Official for Unincorporated Miami-Dade County, stated that the Building Department is seeking an interpretation of Section 305.2(a)(e) of the SFBC, which requires that the building inspector perform insulation inspections after the completion of the insulation installation in compliance with type and “R” values stipulated in the energy calculations. Mrs. Salas wanted to know the applicability of Section 305.3 to this type of insulation inspection.

Mr. Kenny Everett with the Building Department stated that they would like someone on the job to certify that the concrete is poured evenly.

Mr. Michael Goosby, Roofing Building Code Compliance Specialists, stated that he did not see the reason for requesting an interpretation from the board, since the Building Official is allowed in the Code for the request of a special inspector to be employed by the owner be present on the job.

Mr. Jose Fernandez stated that he does not object to the inspections, but expressed concern that he has called for an inspector on numerous occasions and no had shown on the job. He did not want the impression to be made that lightweight insulation is some type of mysterious product. He also added that industry does not want any type of help that would burden the cost of the installation of the product.

Mr. Weitz explained that the Code is clear in Section 305.3(b) of the South Florida Building Code that the Building Official has the power to request a special inspector.

After much discussion, Mr. Horton made a motion to find that the Building Official has the authority based on the interpretation of Section 305.3(b) of the SFBC to request that a special inspector be on the job during the pouring of concrete. The motion was seconded by Mr. Diaz.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

REPORTS

Certification of Inspectors/Plans Examiners for July

Mr. Enrique Salvador reported on the recommendations of the Certification Subcommittee and presented the following individuals for New Certification.

The following individuals are being recommended for **approval** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Alvarez, Angel A.	Coral Gables	Roofing Insp. (Commercial)
		Building Insp. (Structural)
Balsara, Naiman S.	Miami Beach	Plans Examiner (Building)
		Plans Examiner (Structural)
		Building Insp. (Structural)
Errickson, Spencer P.	Miami-Dade County	Building Insp. (Structural)
Fatora, Robert J.	Miami-Dade County	Building Insp. (Structural)
Goizueta, Virginia	Coral Gables	Building Insp. (Structural)
Makowski, Stan	Coral Gables	Plans Examiner (Building)
		Roofing Insp. (Commercial)
		Roofing Insp. (Residential)
		Building Insp. (Structural)
		Bldg. Insp. Structural (Rest.)
Sadin, Jose M.	Miami-Dade County	Building Insp. (Structural)
Vargas, Angel L.	Aventura	Building Insp. (Structural)
Velez, Alan R.	Miami-Dade County	Building Insp. (Structural)

Mr. Salvador informed the members that Mr. Robert Carr was no longer employed with Unincorporated Miami-Dade County as a Plumbing Inspector, so therefore, he was removed from the list for New Certification. He further made a motion to accept those applicants applying for New Certification. The motion was seconded by Mr. Velazquez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Blue Haven Pools

Mr. Jaime Benito informed the members that he is halfway through obtaining compliance and had sent sixteen certified letters requesting compliance to homeowners. He further informed the members that there are eleven renewals in the process, five are finalized and eighteen are outstanding.

The Board requested that Mr. Benito return to the board hearing of September with the completion of the sixteen letters and a chart showing the status of the outstanding permits that remain.

Electrical, Mechanical and Plumbing Subcommittee Report

Mr. Richard Horton informed the members that the Electrical, Mechanical and Plumbing subcommittee met on the issue of Fire Alarm Plan Review for Unincorporated Miami-Dade County. He informed the members that the Fire Department utilized a checklist with over 50 items for review. The Subcommittee instructed them to met and review the checklist to see which Department should be handling that particular item.

Mr. Roy Van Wyk, Electrical Division Director for the Building Department of Unincorporated Miami-Dade County, informed the Board that he has reviewed the checklist with Capt. Carlton and separated what belongs to the two Departments, but Mr. Charlie Danger, Building Official for Unincorporated Miami-Dade County is worried about the time frame, since they never performed battery calculations. Mr. Van Wyk further informed the members that Mr. Danger would continue to require the permit up front.

After some discussion, Mr. Horton made a motion that dual review is mandatory and review is required at the time the fire alarm permit is pulled. Additionally, Mr. Horton informed the Building Department that they have sixty (60) days from the hearing to implement the new process and notify industry. The motion was seconded by Mr. Kurzman.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

NON-AGENDA ITEM

Mr. Utterback informed the members that staff is having a problem obtaining quorum for subcommittee meetings. He stressed that full cooperation in this matter is imperative.

Meeting adjourned at 4:00 p.m.

MINUTES OF THE BOARD OF RULES AND APPEALS MEETING ON 09-21-00

Attendance: Richard Horton, VC William Riley Enrique Salvador Moshe Weitz
Arnold Velazquez John Kurzman Robert Barnes Capt. William Strachan
Justin Manuel Steven L. Johns Carmen Garcia Jesus M. Gomez

Excused: Thomas Utterback, CH Gregory Pierce Edward Woodward Rolando Diaz

Staff Present: Francisco J. Quintana, Secretary Hugo Benitez, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Isabel Seralnick

Commenced at 1:29 p.m.

Minutes of July 20th, 2000

Mr. Horton requested a motion to approve the minutes for the July 20th, 2000 meeting. Mr. Kurzman moved to approve the minutes and Mr. Salvador seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

Mr. Horton requested a motion of the Board to accept the Consent Agenda.

CONSENT AGENDA

APPEAL #1: TCO EXTENSION, PERMIT No. 98050268, Gaviria

APPEAL #2: TCO EXTENSION, PERMIT No. U2000008588, Vazquez

APPEAL #3: TCO EXTENSION, PERMIT No. 00-00277, Clarkson

APPEAL #4: TCC EXTENSION, PERMIT No. B9904830/BCC0000067, Lurie

APPEAL #5: TCO EXTENSION, PERMIT No. B9901174/BCC0000050, Lurie

APPEAL #6: TCO EXTENSION, PERMIT No. BL98-915, Collins

APPEAL #7: TCO EXTENSION, PERMIT No. 1997066519, Maresma

APPEAL #8: TCC EXTENSION, PERMIT No. B9904688, Rosner

APPEAL #9: TCO EXTENSION, PERMIT No. 1999-024986, Tzur

APPEAL #10: TCC EXTENSION, PERMIT No. BCC0000048, McDowell

APPEAL #11: TCC EXTENSION, PERMIT No. B9702309/BCC00000131, Pokrywa

APPEAL #12: TCO EXTENSION, PERMIT No. B9700865, Bloomberg

APPEAL #13: TCC EXTENSION, PERMIT No. B9703176, Palmer

APPEAL #14: TCO EXTENSION, PERMIT No. 9911431, Allison

APPEAL #15: TCO EXTENSION, PERMIT No. B9904387, Fine

APPEAL #16: TCO EXTENSION, PERMIT No. B8800095, Fine

APPEAL #17: TCO EXTENSION, PERMIT No. B8800095, Fine

Mr. Johns moved to accept the Consent Agenda. Mr. Kurzman seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #2: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 1120 Collins Avenue, Section 3102.1 of the SFBC, Ceiling Height Means of Egress

Mr. Charles Benson stated that this is an island grill hood and there is a column beam layout around the perimeter of the basement and the kitchen. He explained that there are two means of egress in the main area. Mr. Benson also introduced photographs showing the height of the duct with one of the cooks standing under it.

Mr. Philip Azan, Building Official for the City of Miami Beach informed the Board that the present height of the duct is 6'4" and the minimum allowed under the Code is 6'8". He further stated that he had no problem with it the height because there is an alternate way out of the kitchen.

After some discussion, Mr. Kurzman made a motion to grant the appeal based on the recommendation of the Building Official. The motion was seconded by Mr. Johns.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #3: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 1140 Ocean Drive, Chapter 18 Section 12 of the SFBC, Load Testing Requirements

Mr. Carter McDowell informed the Board that the City of Miami Beach requested structural testing of which they complied and tested three floors. He feels that they should not have to test all seven floors.

Mr. Pedro Duquesne, Engineer of the Victor Hotel stated that since there were no existing structural drawings for the hotel it was decided to load test the floors. He then prepared a set of drawings showing that they were going to test six floors, which were the 2 through the 6 floor. Mr. Partovi informed him that he wanted to be called to analyze the results and determine if additional load tests are required, but do to a misunderstanding he was never called. Mr. Duquesne concluded that the existing structure on each of the floors tested passed the ACI requirements for initial deflection and for recovery and therefore, feels that the building is structurally sound to support the floor loads.

Mr. Muhammad Partovi stated that the load test was explained to the Engineers and not knowing what was tested is very difficult to accept. He clarified that three floors did pass as stated.

Mr. Henry S. Craig stated that he prepared a cost list for the repair of the hotel. He also did a thorough visual test throughout the hotel along with crack surveys on each floor. They will restore most of the joist and the bars are mostly intact.

Mr. Weitz questioned why they didn't pick random floors to test and stated that there are no signs of failure or distress.

Mr. Carter McDowell stated that the building is in great condition and two structural engineers have stated that the slabs will meet the requirements of the Code. He explained to the members that there is a cost and time issue at hand and is asking for relief based on their professional opinion.

Mr. Horton informed the members that Mr. Eisen with the Code Compliance Office feels that no further testing is required based on the engineer testing analysis and previous testing.

After much discussion, Mr. Weitz made a motion to grant the appeal. Mr. Velazquez seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #4: APPEAL OF BUILDING OFFICIAL'S DECISION: Unincorporated Miami-Dade County, Dolphin Mall, Chapter 18, Section 12 of the SFBC, Vaulted Roofing System

Mr. Carter McDowell, representing Mr. Beam, stated that the roof in question is outside the movie theatre area and is a vaulted roof with portions of plywood installed with metal underneath to protect against fire. He stated that the plywood installed should be considered an alternate method. He brought to Capt. Carlton the issue and he was told that this was a building code issue.

Mr. Beam stated the vault is all steel and the plywood is above the metal on the outside and is 40 to 50 feet away from the movie theatre. The area is fully sprinkled and has smoke evacuation systems. He explained that the use of the boards gives a Class "A" rating and the system is product approved.

Mr. Flavio Gomez with the Building Department stated that when the plans were submitted for approval plywood was not listed and that created a problem because the deck is not part of product approval. He also stated that the deck is structural and the issue is combustion, since this is the main egress of the mall.

Mr. Jesus Gomez asked whether there was a non-combustible roof system that is product approved for this roof.

Mr. Flavio Gomez stated that this issue is about fuel, combustion and fire hazard, it is not about protection the deck.

Capt. Strachan stated that maybe they should look into where the plywood is used.

After some discussion, Mr. Strachan made a motion to grant the appeal to allow the use of plywood on part of the assembly of the vaulted roof in this Type 1 construction. The motion was seconded by Mr. Barnes.

Motion carried. (Mr. Weitz and Mr. Kurzman were opposed)

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #5: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 3801 Indian Creek Drive, Section 304.3(b) of the SFBC, Expired Permit

Mrs. Gioia DeCarlo who represented that applicant stated that the building permit was issued in June of 1997 and the inspections are not on record. Mrs. DeCarlo informed the board the contractor was paid in full and she wants to obtain the Certificate of Occupancy.

Mr. Philip Azan, Building Official for the City of Miami Beach stated that he has no record that the permit was called in and he needed the approval of the Board to grant him the authority to renew the permit for the purpose of getting the final inspection.

After some discussion, Mr. Salvador made a motion to grant the appeal and allow the permit to be renewed for final inspection purposes. The motion was seconded by Barnes.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #6: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 7600 Collins Avenue, Section 304.3(b) of the SFBC, Expired Permit

Mr. Kent Robbins stated that he pulled permits in April of 1999 and he paid the permit and impact fees. He installed 52 piles and changed 38 units in the building. He stated that the plans process is not completed because of intense revision, therefore, an extension of six months is needed to get the plans approved.

Mr. Philip Azan, Building Official for the City of Miami Beach, stated that they made errors that affected the design. He explained that he originally extended the permit, but he needed to go through the Board of Rules and Appeals for an additional extension.

After some discussion, Mr. Salvador made a motion to grant the appeal and extend the permit for an additional six months. Mr. Kurzman seconded the motion.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

APPEAL #7: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami Beach, 2170 Biarritz Drive, Section 303.3 of the SFBC, Window Permits

Mr. Melendez stated that the previous owner installed windows without obtaining a permit and wanted guidance on how he can be compliant without the great expense of a new permit and installation of new windows.

Mr. Philip Azan, Building Official for the City of Miami Beach, informed the Board that the previous owner installed 12 windows without permits. The new owner wants an extension of the permit to correct the problem.

After some discussion, Mr. Weitz made a motion to grant the appeal under the Amnesty Ordinance. The motion was seconded by Mr. Strachan.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

A motion was made by Mr. Johns to hear the Emergency Consent and Appeal Agenda items. The motion was seconded by Mr. Strachan.

Motion carried. (Mr. Velazquez excused himself).

(For a verbatim version of the aforementioned item, refer to the transcript.)

EMERGENCY CONSENT

APPEAL #1: TCO EXTENSION, PERMIT No. 995002405, Diesendruck

Mr. Kurzman made a motion to approve the extension. The motion was seconded by Mr. Salvador.

Motion carried.

(For a verbatim version of the aforementioned item, refer to the transcript.)

EMERGENCY APPEAL

APPEAL #1: APPEAL OF BUILDING OFFICIAL'S DECISION: City of Miami, The Metropolitan Condominium, 2745 Brickell Avenue, Section 4101.3(a) of the SFBC, Ventilated Stacked Vaults

Mr. Rene Fraga stated that this is a FPL stacked vault installation in a high-rise building and per the Code they have to ventilate the stack vaults which have exhaust grills to take the heat out of the room. He explained to the members that the National Code does not apply inside the confines of the vault. Mr. Fraga further added that the fans are configured to run continuously and he would also like to utilize exception 4905.9(a)(bb) of the South Florida Building Code

Mr. Roberto Rodriguez, Field Inspector for the City of Miami stated that the damper is not acceptable and also informed the board that all of the rooms are next to the corridor.

Mr. Velazquez stated that the electrical vault for FPL must be four-hour fire rated all the time and if all the vaults are together he does not have a problem.

Mr. Pete Quintela, Building Code Compliance Specialists, stated that smoke and fire dampers are required under Chapter 18 of the South Florida Building Code, also the plans show fire and smoke dampers.

After some discussion, Mr. Johns made a motion that the fire dampers would be sufficient, since the rooms are all fire rated and accessed only by the FPL authorized personnel. The motion was seconded by Mr. Velazquez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

REPORTS

Blue Haven Pools

Mr. Jaime Benito informed the Board that he contacted Mr. Kevin Carrier with the update on the remaining permits, but wanted the Board to know that some of the homeowners were not cooperating. He added that he has sent registered notices to everyone and has finalized open permits in regards to Count I, but there is a problem finding an engineer, since the original engineer is now deceased. Mr. Benito stated he called for inspections, which resulted in numerous problems and he has to pay to renew a lot of the permits out of his own pocket. He also informed them that he would not be able to complete everything by next month.

Mr. Barnes stated that staff should work with Mr. Benito with owner's that are not cooperating. He suggested that maybe the permit should be transferred in the homeowner's name.

Mr. Kevin Carrier stated that the new homeowner's don't want to be bothered, but essentially Mr. Valderrama with Unincorporated Miami-Dade County, Building Department could issue a Notice of Violation to those homeowners who don't comply.

After much discussion, Mr. Horton directed Mr. Benito to send notices to the contractors and get with the Code Compliance Office to come up with procedures on how to address the issue of finalizing the remaining permits.

Certification of Inspectors/Plans Examiners for September

Mr. Enrique Salvador reported on the recommendations of the Certification Subcommittee and presented the following individuals for New Certification.

The following individuals are being recommended for **approval** for **New Certification** for 2000.

INSPECTOR:	REPRESENTING:	DISCIPLINES:
Abin, Ricardo Alvarez, Angel M.	Miami-Dade Miami Beach	Electrical Inspector Roofing Insp. (Commercial) Roofing Insp. (Residential) Building Insp. (Structural) Building Official Plans Examiner (Building) Roofing Insp. (Commercial) Building Insp. (Structural) Roofing Insp. (Commercial) Roofing Insp. (Residential) Building Insp. (Structural)
Annese, Salvatore	Biscayne Park	Chief Building Inspector Mechanical Inspector Mechanical Inspector Electrical Inspector Chief Plumbing Inspector Building Insp. (Structural) Roofing Insp. (Commercial) Roofing Insp. (Residential) Building Insp. (Structural) Plans Examiner (Mechanical) Mechanical Inspector Plans Examiner (Building) Plans Examiner (Structural) Building Insp. (Structural) Building Official Mechanical Inspector Building Insp. (Structural) Plans Examiner (Structural) Building Official Plans Examiner (Structural) Building Insp. (Structural) Chief Building Inspector Plans Examiner (Building) Roofing Insp. (Residential) Building Insp. (Structural) Plans Examiner (Mechanical) Plans Examiner Mech. (Res.) Mechanical Inspector Plumbing Inspector Roofing Insp. (Commercial) Roofing Insp. (Residential) Building Insp. (Structural) Plans Examiner (Electrical) Plans Examiner Elect. (Res.) Electrical Inspector Plans Examiner (Building) Plans Examiner (Structural) Roofing Insp. (Commercial) Roofing Insp. (Residential) Building Insp. (Structural) Mechanical Inspector
Arronte, Miguel T.	Miami Beach	
Ascunce, Sergio T. Baker, William M. Barzaga, Amador Canales, Eduardo Del Castillo, Raul E. Devilme, Jean Socrate Esher, Charles B.	Hialeah Miami-Dade Miami-Dade Miami Miami Miami-Dade Miami Shores	
Gomez, Justo E.	Miami Beach	
Gonzalez, Dario	Coral Gables	
Gonzalez, Rodolfo F. Hernandez, Paul McCord, John Robert Mitrani, Jose D. Murphy, James W.	Medley Miami Miami Sunny Isles Beach Sunny Isles Beach	
Parker, Clayton L.	Sunny Isles Beach	
Perez, Jan Pierre	Coral Gables	
Rettig, Roger E. Villarreal, Andres R.	Miami Miami Beach	
Way Jr., Richard	Miami	
Weiner, Norman I.	Miami Beach	
Whiteman, William E.	Sunny Isles Beach	
Williams, Walter L.	Miami-Dade	

A motion was made Mr. Salvador to accept the above listed for New Certification. Motion seconded by Mr. Velazquez.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

The following individual is being recommended for **De-Certification** for 2000

INSPECTOR:

REPRESENTING:

DISCIPLINES:

Kopetman, Fabian

Miami-Dade County

Roofing Inspector (Comm.)

(Provisional Building Inspector License, PBI0000206, expired on August 18, 2000)

Mr. Johns made a motion to list Mr. Fabian for De-Certification. The motion was seconded by Mr. Salvador.

Motion carried unanimously.

(For a verbatim version of the aforementioned item, refer to the transcript.)

INFORMATION

Mr. Quintana addressed the members regarding the Senate Bill 86 Creation of Chapter 515 Florida Statutes and referred them to the handout document provided.

Meeting adjourned at 3:40 p.m.

UNSAFE STRUCTURES BOARD HEARING MINUTES OF NOVEMBER 15th, 2000

Members Present: James Cueva, VC Harry Childs Orange Hayes
Walter Williams Kathy Babl-Loy Abel Ramirez
Laurence Jay Michelson Jose Vera Enrique Crooks

Excused: Gordon Loader, Chairman

Staff: Theodore Berman, Clerk of the Board
Bruce Libhaber, Asst. County Attorney
Rashmi Airan, Asst. County Attorney
Yvonne Bell, Recording Secretary

Court Reporter: Joe Vargas, Official Court Reporting Services, Inc.

The regular meeting of the **UNSAFE STRUCTURES BOARD** was called to order at 1:30 P.M. on Wednesday, November 15th, 2000 on the 16th Floor, Conference Room 1605, of the Metro-Dade Flagler Building at 140 W. Flagler Street, Miami-Dade, Florida 33130.

Mr. Cueva requested a motion to approve and accept the minutes of the October 18th, 2000 Unsafe Structures Board Meeting. A motion was made by Mr. Childs to approve the minutes and seconded by Mr. Vera.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Cueva requested from Mr. Berman the cases that were agreed upon, uncontested, withdrawn or deferred.

Mr. Berman informed the members that the following Unincorporated Miami-Dade County case was **withdrawn for compliance**:

Unincorporated Miami-Dade County Case:

DC1999001061U 10131 W. Indigo Street

Mr. Berman also informed the members that the following City of Miami cases were **withdrawn for compliance**:

City of Miami Cases:

M00-085	861 N.W. 2 Street
M00-086	924 N.W. 70 Street
M00-088	1264 N.W. 70 Street
M00-089	1269 N.W. 34 Street
M00-093	2510 S.W. 22 Avenue
M00-094	3190 Carter Street A/K/A 3192 Carter Street

Mr. Berman then announced the following City of Homestead case **deferred until further notice**:

City of Homestead Case:

99-0015MH 151 S.W. 4 Street

Mr. Berman announced the following cases from Unincorporated Miami-Dade County where **agreements** had been made with the Building Official:

Unincorporated Miami-Dade County Cases:

DC97-197U	10315 S.W. 30 Court
DC98-320U	24775 S.W. 87 Avenue
DC99-391U	2290 N.W. 100 Street
DC99-460U	14545 S.W. 290 Terrace
DC199900834U	22322 S.W. 103 Court
DC199900846UT	2747 N.W. 59 Street
DC199900884UT	1925 N.W. 79 Street
DC199900957U	18120 S.W. 103 Avenue

Mr. Berman then announced the following City of Miami cases where **agreements** had been made with the Building Official:

Unincorporated Miami-Dade County Cases:

M00-080	8 N.W. 61 Street
M00-081	35 N.E. 17 Street A/K/A 1721 N. Miami Court
M00-082	190 N.W. 57 Street
M00-087	1168 N.W. 30 Street
M00-090	1318 N.W. 1 Place
M00-091	1319 N.W. 32 Street
M00-096	3315 N.W. 1 Avenue

Mr. Berman announced the following Unincorporated Miami-Dade County cases that were **uncontested/no show**:

Unincorporated Miami-Dade County Cases:

DC99-172UT	1980 N.W. 47 Terrace
DC200001094U	955 N.W. 76 Street
DC200002961U	6332 N.W. 21 Avenue
DC200002963U	7313 N.W. 17 Avenue
DC200003143U	6714 N.W. 18 Avenue
DC200003518UT	69 N.E. 160 Street
DC200003541U	1400 N.W. 81 Street
DC200003731U	1802 N.W. 65 Street
DC200004284U	2811 N.W. 106 Street

Mr. Berman announced the following City of Miami cases that were **uncontested/no show**:

City of Miami Cases:

M00-083	297 N.W. 57 Street (Rear)
M00-084	420 S.W. 7 Avenue
M00-092	1883 N.W. 22 ₂ Place

M00-095
M00-097

4001 N.W. 10 Avenue
5516 N.W. Miami Place A/K/A 5510 N.W. Miami Place

Mr. Berman then announced the following City of Homestead cases that were **uncontested/no show**:

City of Homestead:

99-0016MH 167 S.W. 4 Street
20-0003MH 860 S.W. 6 Street

The cases and photographs were submitted to the Board for review as called by Mr. Berman.

After the Board reviewed each case file, Mr. Cueva requested a motion to consolidate the withdrawals, deferral, agreed and uncontested cases and uphold the decisions of the Building Official. The motion was made by Mr. Michelson and seconded by Mrs. Loy.

Motion passed. (Mr. Childs excused himself from voting).

(For a verbatim version, please refer to the transcripts)

Mr. Cueva informed those appellants who were able to come to an amicable agreement with the Building Official that the Board had ratified the agreements and they were free to leave.

The Building Officials and Appellants being heard by the Unsafe Structures Board were sworn in at 2:00 P.M. by the court reporter.

Mr. Berman called forth the first case to be presented by Unincorporated Miami-Dade County where **the owner** disagreed with the Building Official's recommendation for demolition:

Unincorporated Miami-Dade County Case:

DC200001420U 7010 N.W. 18 Avenue

Building Official Jose Sadin introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Sadin gave an account of the structure and recommended that "said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the Unincorporated Miami-Dade County as soon as possible." He further informed the members that the structure is presently secured.

Mr. Henderson, property owner, stated that the house had a fire and he would to have the opportunity to try and repair the structure.

After some discussion, Mr. Cueva then requested a motion of the Board. Mrs. Loy made a motion that "said structure(s) are to be maintained secure, clean and sanitary, free of debris, overgrown grass or weeds and free of 3 discoloration or graffiti. The structure must be repaired or completed with Architect/Engineer's sealed plans.

A building permit must be obtained for all repairs and items to be completed. The permit documents shall **FIRST** be submitted to the Unsafe Structures Unit for approval. The building permit must be obtained by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code within ninety (90) days from today. The complete building or structure shall be made to conform to all the requirements for a new building or structure and shall be completed within one hundred twenty (120) days after obtaining the permit. Completion shall be determined when a final inspection approval is obtained on the building permit. If any of the above conditions are not complied with, said structure shall be demolished by Unincorporated Miami-Dade County as soon as possible.” The motion was seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called forth the second case to be heard from Unincorporated Miami-Dade County where **the owner** disagreed with the Building Official’s recommendation:

Unincorporated Miami-Dade

DC200004670U

2236 N.W. 67 Street

Building Official Jose Sadin introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Sadin gave an account of the structure and recommended that “said structure be demolished by a licensed contractor or a qualified homeowner pursuant to Section 10-5 (2) of the Miami-Dade County Code with a demolition permit obtained within thirty (30) days from today from the Unsafe Structures Unit. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, said structure shall be demolished by the Unincorporated Miami-Dade County as soon as possible”.

Mr. Johnson, property owner, stated that his wife died and left the house to the kids, but the sister of the deceased has all the paperwork pertaining to the house, therefore he can not pull any permits to start the repairs.

Board member, Walter Williams recommended to the members to defer this case until the husband can obtain the proper paperwork.

Mr. Ricardo Roig, Compliance and Coordinating Manager for the Building Department, Unsafe Structures Unit, informed the Board that this case should be in probate court, but until it is resolved they can not enter into an agreement with Mr. Johnson.

Asst. County Attorney, Bruce Libhaber stated that deferring the case might be in the best way to go.

Upon some discussion, Mr. Cueva requested a motion. Mr. Williams then made a motion to defer this case for ninety (90) days. Motion seconded by Mr. Ramirez.

Motion passed unanimously.

(For a verbatim version, please refer to the- 4 -transcripts)

Mr. Berman then called forth the third case to be heard from Unincorporated Miami-Dade County where the case is in litigation:

Unincorporated Miami-Dade

DC199900816U 5245 N.W. 26 Avenue

Building Official Jose Sadin introduced photographs and a case resume into evidence to be reviewed by the Board.

Mr. Berman informed the members that the Mortgage Company is going to foreclose on the property and bankruptcy was filed. They are requesting a deferral until this issue is resolved.

Asst. County Attorney, Bruce Libhaber explained to the members that this case should be deferred or withdrawn, since there is a Chapter 13 pending.

After some discussion, Mr. Michelson made a motion to withdraw this case until further notice. Motion seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called the fourth case to be heard from Unincorporated Miami-Dade County.

Unincorporated Miami-Dade

DC199900918U 5960 S.W. 150 Avenue
DC199900919U 5900 S.W. 150 Avenue
DC199900920U 14988 S.W. 60 Street

Mr. Ricardo Roig stated that these homes have not obtained their Certificate of Completion. He requested of the Board to order that a report from an Architect be submitted within fifteen (15) days from the date of the Board Order and obtain the Certificate of Completion within one hundred eighty (180) days.

Mr. Terry Bister, stated that these houses are occupied without a Certificate of Completion. The Amnesty Ordinance was passed and they are waiting for the County to reopen the permits.

After some discussion, Mrs. Loy made a motion that the Architect's report be submitted within fifteen (15) days and one hundred eighty (180) days to obtain the Certificate of Completion. Motion seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Berman then called the fifth case to be heard from Unincorporated Miami-Dade County regarding Opa Locka Airport where **agreements** have been prepared by Administration of the Building Department

Mr. Ricardo Roig gave an account of the structures pertaining to the 40-year re-certification and informed the members that some of them will be demolished or repaired and the buildings are unsafe if they have not received a Certificate of Completion.

Mr. Roig then proceeded to read the agreement for the following structures:

Demolition Order #1

<u>DC200004395U</u>	<u>Bldg. #22</u>	<u>DC200004395U</u>	<u>Bldg. #409</u>
<u>DC200004395U</u>	<u>Bldg. #23</u>	<u>DC200004395U</u>	<u>Bldg. #408</u>
<u>DC200002827U</u>	<u>Bldg. #147</u>	<u>DC200004395U</u>	<u>Bldg. #407</u>
<u>DC200004395U</u>	<u>Bldg. #415</u>	<u>DC200004395U</u>	<u>Bldg. #406</u>
<u>DC200004395U</u>	<u>Bldg. #411</u>	<u>DC200004395U</u>	<u>Bldg. #105</u>
<u>DC200004395U</u>	<u>Bldg. #410</u>		

A license contractor pursuant to Section 10-5(2) of the Miami-Dade County Code must obtain the demolition permit within **thirty (30) days** from the date of the historic preservation approval.

Said structure shall be demolished by a licensed contractor pursuant to Section 10-5(2) of the Miami-Dade County Code with a demolition permit obtained through the Unsafe Structures Unit, within **one hundred twenty (120) days** from the date the demolition permit is obtained. All debris resulting from the demolition shall be removed from the premises. If any of the above conditions are not complied with, the Unsafe Structures Board shall retain jurisdiction to consider in its discretion any petition relating to the enforcement of this order. Any person aggrieved by a decision of the Unsafe Structures Board may seek judicial review of that decision in accordance with the Florida Rules of Appellate Procedure. The Board's retention of jurisdiction for this limited purpose shall also be without prejudice to Miami-Dade County's ability to pursue an alternate remedy in the Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida.

IF AT ANY TIME, INCLUDING WITHOUT LIMITATION ANY TIME DURING THE PENDENCY OF THE ABOVE PERIODS, A HURRICANE WARNING IS POSTED FOR MIAMI-DADE COUNTY, ANY AND ALL OCCUPANTS ARE HEREBY ORDERED TO IMMEDIATELY VACATE AND SECURE THE BUILDINGS. THE BUILDING OFFICIAL IS HEREBY EMPOWERED, IN HIS DISCRETION AND OR TO THE EXTENT ALLOWED BY LAW, TO FORCIBLY EVACUATE OR CAUSE THE FORCIBLE EVACUATION OF ALL OCCUPANTS, IN SUCH EVENT.

Mr. Roig stated that he has only dealt with the Aviation Department who are the owners of the property and they will inform the tenants. He added that the tenants would be remove and put in other buildings.

Asst. County Attorney, Bruce Libhaber stated that the Board can hear from anyone that has an interest in the property and the Board Order remains with the structure.

Mr. Max Fajardo confirmed that there is no disagreement to the order between the Aviation Department and the Building Department.

Mr. Bernard Jennings, Director of Tenants- 6 -Association stated that he felt that the order presented would create hardship for the tenants. He informed the members that there

are no formal agreements to relocate the tenants, who bring in 39 million dollars.

Mr. Max Fajardo stated that they would provide temporary trailers for the tenants, but economically these buildings can not be repaired and also there are four buildings that are vacant at the present moment. Mr. Fajardo added that there is a pending approval of a lease for a developer.

Mr. Bernard Jennings expressed concerns and stated that the County should pay for the relocation of the tenants, since they are the ones that did not obtain the certification. He also challenges the studies made by the owner and informed the Board that they were told they could not hire an engineer.

Asst. County Attorney, Bruce Libhaber stressed to the members that their primary concern was whether or not these buildings are unsafe.

Mrs. Carol Ann Klein stated that these buildings are old and four developments were rewarded to the Board of County Commissioners.

Mr. Bruce Green stated that the landlord has the obligation to maintain the structures, since the tenants have millions of dollars invested. He added that the real issue is that re-development is trying to be made and it is more than the Aviation is admitting to.

After much discussion, Mr. Cueva requested a motion. Mrs. Loy made a motion that the four buildings previously vacant should be demolished according to the Board read by Mr. Roig and the other buildings are deferred for sixty (60) days. Motion seconded by Mr. Crooks.

Motion carried. (Mr. Williams was opposed).

(For a verbatim version, please refer to the transcripts)

Mr. Roig informed the Board that the Airport's engineer would certify these buildings, since certain ones are worse than others and the tenants can remain while the repairs are being made.

Mr. Roig then proceeded to read the agreement for the following structures:

Demolition Order #3

<u>DC200004395U</u>	<u>Bldg. #137</u>	<u>DC200004395U</u>	<u>Bldg. #114</u>
<u>DC200004395U</u>	<u>Bldg. #121</u>	<u>DC200004395U</u>	<u>Bldg. #66</u>
<u>DC200004395U</u>	<u>Bldg. #209</u>	<u>DC200004395U</u>	<u>Bldg. #61</u>
<u>DC200004395U</u>	<u>Bldg. #150</u>	<u>DC200004395U</u>	<u>Bldg. #102</u>
<u>DC200004395U</u>	<u>Bldg. #101</u>	<u>DC200004395U</u>	<u>Bldg. #119</u>

Said structure(s) will be vacated within **thirty (30)** days and secured within **sixty (60)** days of the date of the Board Order. The following securing method is approved: Fencing. The Structure(s) are to be maintained secure, clean and sanitary. In the event the property owner decides to maintain occupancy of the structure(s) during the repair period, the owner will provide to the Building Official within **thirty (30)** days of the date of the Board Order a detailed report signed and sealed by a Florida registered professional engineer to the satisfaction of the Building Official that adequate precautions will be taken to ensure the safety of the occupants who will remain in the building while repairs are completed.

The Structure(s) must be repaired or completed. A building permit must be obtained for all repairs or items to be completed. The permit documents must first be submitted to the Unsafe Structures Unit for

approval. The building permit must be obtained by a licensed contractor pursuant to Section 10-5(2) of the Miami-Dade County Code within **one hundred and eighty days (180)** from the date of the Board Order.

Within **one hundred and eighty (180)** days after obtaining the permit(s), the owner shall submit to the Building Official a report signed and sealed by a Florida registered professional engineer in accordance with Section 104.9 of the South Florida Building Code re-certifying the structural and electrical components of the buildings. In the event the 40-year Re-Certification report is not submitted to the Building Official, the building shall be demolished.

If any of the above conditions are not complied with, the Unsafe Structures Board shall retain jurisdiction to consider in its discretion any petition relating to the enforcement of this order. Any person aggrieved by a decision of the Unsafe Structures Board may seek judicial review of that decision in accordance with the Florida Rules of Appellate Procedure. The Board's retention of jurisdiction for this limited purpose shall also be without prejudice to Miami-Dade County's ability to pursue an alternate remedy in the Eleventh Judicial Circuit Court in and for Miami-Dade County, Florida.

IF AT ANY TIME, INCLUDING WITHOUT LIMITATION ANY TIME DURING THE PENDENCY OF THE ABOVE PERIODS, A HURRICANE WARNING IS POSTED FOR MIAMI-DADE COUNTY, ANY AND ALL OCCUPANTS ARE HEREBY ORDERED TO IMMEDIATELY VACATE AND SECURE THE BUILDINGS. THE BUILDING OFFICIAL IS HEREBY EMPOWERED, IN HIS DISCRETION AND OR TO THE EXTENT ALLOWED BY LAW, TO FORCIBLY EVACUATE OR CAUSE THE FORCIBLE EVACUATION OF ALL OCCUPANTS, IN SUCH EVENT.

After some discussion, Mrs. Loy made a motion to accept the agreement as presented by Mr. Roig. Motion seconded by Mr. Childs.

Motion passed unanimously.

(For a verbatim version, please refer to the transcripts)

Mr. Edward Villareal presented the last case at Opa Locka Airport.

Case No.

Address

DC200003814U

14200 N.W. 42 Avenue

Mr. Villareal went on to add that this case is not for a 40-year re-certification and informed the members that these are hangers that are 1-story steel buildings built without permits 13 years ago. Mr. Villareal stated that these hangers have since been removed to another location without a permit, which the South Florida Building Code requires that a permit be pulled and essentially these hangers have to be legalized or removed. He recommended demolition.

Mr. Ted Bartlestone stated that these are new buildings and the lease provides for the owner to fix and provide hanger space. He informed the Board that these hangers cost about \$50,000 a piece and they can be corrected through the South Florida Building Code. He further requested of the Board four (4) months to bring the buildings up to Code.

After some discussion, Mr. Childs made a motion that the appellant be given six (6) months to get a Certificate of Occupancy from Unincorporated Miami-Dade County. Motion seconded by Mr. Williams.

Motion passed unanimously.

(For a verbatim version, please refer to the- 8 -transcripts)

There being no further business, the meeting was adjourned at 4:00 P.M.

Prepared by: _____

Recording Secretary

Chairperson

Date: _____